

THE CITY OF NEW YORK
OFFICE OF ADMINISTRATIVE
TRIALS AND HEARINGS

P R E S E N T: CHRISTINE STECURA
Administrative Law Judge

In the matter of:

DEPARTMENT OF HOUSING PRESRVATION AND DEVELOPMENT

Petitioner,

Index No.
25-1984

- Against -

MICHAEL GEYLIK

Respondent.

May 22, 2025

Office of Administrative Trials
And Hearings
100 Church Street
New York, NY 10007

Volume II, Page 216 - 370

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<u>PETITIONER'S WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIR</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
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<u>RESPONDENT'S WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIR</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>

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1 ALJ CHRISTINE STECURA: Good morning. Today is May
2 22nd, 2025. The time is now 9:44 AM. This is day 2 in the
3 continuing trial of the Department of Housing Preservation
4 and Development v. Michael Geylik. The index number is 25-
5 1984. I'll ask Counsel to enter their appearances again,
6 starting with Petitioner.

7 MR. DEMETRIOUS MESTOUSIS: Yes, Your Honor. For
8 Petitioner, Demetrius Mestousis, 100 Gold Street, New York.,
9 New York.

10 MS. RONIT JOSEPH: Ronit Joseph, 100 -- HPD 100
11 Gold Street, Your Honor.

12 MR. JOSEPH GOLDSMITH: For the Respondent, Joseph
13 Goldsmith from Kucker Marino Winiarsky & Bittens. With me is
14 Michael Geylik, the Respondent, and joining me in a moment
15 will be Vladimir Favilukis, also from Kucker Marino Winiarsky
16 & Bittens. Good morning.

17 ALJ STECURA: Okay. Thank you everyone. All
18 right. So Petitioner is still presenting its case and they
19 are going to call a witness.

20 MS. JOSEPH: I'll get him.

21 MR. MESTOUSIS: We're going to call Zachary Hall,
22 Your Honor.

23 ALJ STECURA: If you could take a seat over there,
24 please. Okay. I'm going to start by swearing you in, so if
25 you could raise your right hand. Do you swear or affirm that

1 the testimony you are about to give will be the truth?

2 MR. ZACHARY HALL: Yes, Your Honor.

3 ALJ STECURA: Okay, thank you. You may lower your
4 hand.

5 [WHEREUPON THE WITNESS, Z A C H A R Y H A L L,
6 WAS DULY SWORN IN.]

7 ALJ STECURA: So you can speak into the microphone.
8 I'm going to ask you to state and spell your name for the
9 record.

10 MR. HALL: My name is Zachary David Hall, Z-A-C-H-
11 A-R-Y D-A-V-I-D H-A-L-L.

12 ALJ STECURA: Thank you. I'm going to give you
13 some instructions. So this is being recorded, so your
14 responses must be verbal. If you use gestures, it won't be
15 picked up by the transcript. Please speak clearly. Please
16 wait until the question has finished before you answer. If
17 there's an objection, please wait until I give a ruling on
18 the objection before you answer. If there's a question you
19 did not hear or you did not understand, please let us know
20 because the question can be reph -- rephrased or repeated.
21 If you can't see an exhibit, please let us know. If you need
22 to take a break or you're not feeling well, also please let
23 us know. Do you understand?

24 MR. HALL: Yes, Your Honor.

25 ALJ STECURA: All right, thank you. All right,

1 Counselor, you may proceed.

2 MR. MESTOUSIS: Thank you, Your Honor.

3 **DIRECT EXAMINATION OF MR. HALL**

4 **BY MR. MESTOUSIS:**

5 Q: Good morning, Mr. Hall. Mr. Hall, where do you live?

6 A: 109 East 9th Street, New York, New York, 10003,
7 Apartment number 4D.

8 Q: And how long have you lived there?

9 A: Since 2011, so approximately 14 years.

10 Q: Now in relation to street level, what floor is the
11 apartment located on that you live in?

12 A: It's on the 5th floor of the building.

13 Q: Okay. Now, in your unit, do you have any facilities
14 such as a toilet, a kitchen, shower, bathtub?

15 A: I just have a bathtub, yeah.

16 Q: A bathtub. And do you know who installed that bathtub?

17 A: No. It was there when I moved in.

18 Q: Okay. So it was there. Do you know how many tenants
19 live in the building?

20 A: Currently there are six tenants, I believe.

21 Q: When Mr. Michael Geylik purchased the building in June
22 '21, how many tenants were there?

23 ALJ STECURA: Can you sit down please, sir. Thank
24 you.

25 A: I believe there were eight.

1 Q: Eight. Okay. Have any tenants moved out since Mr.
2 Geylik acquired the building?

3 A: Yes.

4 Q: Do you know who -- do you know who they were or what
5 your name was?

6 A: One of them was named Yosef (phonetic), I don't remember
7 I -- his last name. There was another person named Thomas Scarlet
8 who lived on my floor. And then there was also someone named
9 Cleek (phonetic), who also lived on my floor, who is a -- yeah.

10 Q: Now, Mr. Yosef, do you know why he moved out?

11 A: I believe he was given an option to participate in a
12 housing lottery through Mr. Geylik.

13 ALJ STECURA: Hold on. It's very distracting,
14 please.

15 MR. MESTOUSIS: I apologize.

16 ALJ STECURA: Thank you.

17 Q: I'm sorry, can you repeat that?

18 A: I believe Yosef moved out because he was offered a
19 housing lottery opportunity through Mr. Geylik.

20 Q: Okay. Did Mr. Geylik ever make you any offers about
21 moving out of the apartment -- out of the building?

22 A: He -- he did mention in passing at some point of a
23 housing lottery option if I wanted to explore that, but I said I
24 was not interested, but I --

25 Q: How -- how was he going to assist you with a housing

1 lottery?

2 A: I believe his company, MGNY, that's one of their areas
3 of expertise.

4 Q: Do you know how many vacant units there are in the
5 building?

6 A: Currently?

7 Q: Yes.

8 A: I believe technically there are eight vacant units, but
9 that would include one unit that is supposed to be three units,
10 but the walls have been removed to make only one unit.

11 Q: Now, have you had any discussions with Mr. Geylik as to
12 why those units are vacant or?

13 A: Yes.

14 Q: And what has he told you about then?

15 A: What -- well, I asked Mr. Geylik, you know, why there
16 were so many empty units in the building and, you know, I -- I
17 told him that I would know a number of people would be interested
18 in moving in, and he said to me that his property would be more
19 valuable the less SRO units were tenanted by occupants.

20 Q: Okay. Now, do you -- do you have any common facilities
21 that you share with other tenants, and if you do, can you let us
22 know what those are?

23 A: Current -- when I moved in, there were -- there was a
24 kit --

25 Q: Well, I'm asking about now.

1 A: Currently -- currently, yes. Okay. There is a toilet
2 on my floor, there's a toilet on the second floor, and that is
3 what we're left with. Yeah.

4 Q: And do you know how many residential SRO units are
5 located on the 5th floor?

6 A: There's four SRO units on the 5th floor.

7 Q: How about the fir -- 4th floor?

8 A: There are three SRO units on the 4th floor.

9 Q: And how about the 3rd floor?

10 A: There are four SRO units on the -- that floor.

11 Q: And how about on the 2nd floor?

12 A: There are supposed to be three SRO units, but I believe
13 that it has been changed, so there's only one big unit.

14 Q: Okay. Now, since -- so just on this 2nd floor, you said
15 there's one unit, but it's supposed to be two -- it's supposed to
16 be how many units, say that again, there was one unit?

17 A: Yeah, there's currently one large unit.

18 Q: Okay.

19 A: But there were -- previously in the history of the
20 building, there were three SRO units.

21 Q: Got you. Okay. Now, do you know if Mr. Geylik, since
22 purchasing the building, has he done anything to restore to three
23 apartments instead of the one that's currently there?

24 A: No.

25 MR. MESTOUSIS: Your Honor, I'd like to show what I

1 believe is already in evidence, Respondent's Exhibit B2. I
2 do have copies for the witness if --

3 ALJ STECURA: Yes, B2 is in evidence. And you may
4 show the witness.

5 MR. MESTOUSI: Just one second, just -- do you need
6 a copy, Your Honor?

7 ALJ STECURA: Yes, please. Thank you.

8 MR. MESTOUSIS: Okay.

9 Q: So, Zach, can you go to the second page of that
10 document, and I want you to look at the third line. Can you let
11 me know three columns in, what does that say -- one, it says
12 building code, habitable rooms. What -- how many rooms does it
13 say is on that floor?

14 A: Three.

15 Q: And if you could just flip back to the first page, and
16 on the right side it says number of dwelling units. Can you let
17 me know how many units was supposed to be according to this
18 document?

19 A: 14.

20 Q: Thank you. Now, do you know besides a toilet, what else
21 is on the 2nd floor?

22 A: There's one shower, yeah. I forgot to mention that
23 there's also a shared shower that we have.

24 MR. MESTOUSIS: All right. Just one second, Your
25 Honor.

1 Q: So what shared facilities have been available to you on
2 the 4th floor?

3 A: Just one water closet toilet -- on -- on the 4th floor?
4 I'm sorry.

5 Q: On the 4th floor?

6 A: I'm sorry. But my -- my apartment number is 4D, so
7 sometimes -- no. On the 4th floor, there used to be a kitchen, a
8 toilet, and a shower.

9 Q: Okay. You said the -- there used to be, what happened to
10 those facilities?

11 A: They were removed by Mr. Geylik.

12 Q: Okay. Now, when those facilities were available to you
13 on the 4th floor, how many SRO units were located on that floor?

14 A: Three.

15 Q: Now, do you know who had the shared facilities removed?

16 A: I'm sorry?

17 Q: Who -- who removed the sheriff facilities?

18 A: Mr. Geylik.

19 Q: Mr. Geylik.

20 A: Yeah.

21 Q: So what shared facilities were available to you on the
22 3rd floor?

23 A: One toilet.

24 Q: And what happened to that toilet?

25 A: It was removed by Mr. Geylik.

1 Q: When -- when that toilet was available to you on the 3rd
2 floor, how many SRO units were on that floor?

3 A: Four.

4 Q: Did the owner tell you anything about removing the
5 facilities on the 3rd floor or the 4th floor?

6 A: He told us that he was removing the facilities in order
7 to clear a building vi -- to clear building violations, I believe
8 it was plural.

9 Q: Okay. Did Mr. Ducklith (phonetic) tell you anything
10 about the removal of the facilities?

11 A: Yeah, he may have mentioned it in passing. That was --
12 that was a while ago. Yes.

13 Q: Did he say anything specific about it or?

14 A: Well, how I was made -- I -- I don't remember exactly
15 what Mr. Ducklith said in regards to that.

16 Q: Are you aware about the CNH process at all?

17 A: Yes.

18 Q: And how have you become aware of that?

19 A: How it was explained to me that they removed the kitchen
20 and the toilets and in order to -- you know, that they were
21 removing them in order to clear a violation, but in order to
22 restore the kitchen and the toilets, they would need to get a
23 certificate of no harassment. That --

24 Q: Who told you that?

25 A: Michael Geylik. And that, yeah, in order for us to get

1 our kitchen and -- and toilets restored that they would need a
2 certificate of no harassment.

3 Q: Okay. Now, how did the removal of the kitchen impact
4 you?

5 A: I've had to spend somewhere in the ballpark of 50 to
6 \$100 per day on food, eating out, because I don't have a kitchen
7 to cook.

8 Q: And how did the removal of the toilets from the 4th and
9 the 3rd floor impact you?

10 A: Now there are less shared toilets for all of the tenants
11 in the building, and so now some occupants come up to use the
12 toilet that's on my floor.

13 Q: Okay. Are you aware of an earthquake that occurred in
14 New Jersey in April 2024?

15 A: I -- I have a hard time defining it as an earthquake,
16 but yeah, I mean, I -- I look at it as more of a tremor for people
17 who have experienced real earthquakes, but yes, I know what you're
18 referring to. Yeah.

19 Q: Okay. And did you -- did you make any observations
20 about the building after the earthquake?

21 A: No, I didn't notice any -- any differences.

22 Q: And did you have any conversations with Mr. Geylik about
23 the building after the earthquake?

24 A: Nothing in reference to the earthquake, no.

25 Q: Did Mr. Geylik show you anything after the earthquake

[10:00:30]

[00:16:35-1]

1 with respect to the building?

2 A: He -- well, a number of things happened after that
3 earthquake, but nothing in the context of that earthquake was
4 discussed with me at any given point through this whole process.

5 Q: With respect to a crack in the building, did Mr. Geylik
6 show you anything?

7 A: Yes, when the Department of Buildings did an inspection,
8 Michael Geylik guided both me and Thomas Ducklith to a second --
9 the second floor vacant what's supposed to be three units, but is
10 only one unit, and showed us a cracked header that appeared to
11 have been attempted to be repair -- repaired what may have been
12 many years ago with a big metal bracket. And he said that this
13 cracked header was the catalyst for the Department of Buildings
14 issuing their violations.

15 Q: And based on your observation, did this crack look new
16 to you? Did --

17 A: No. No, it looked very old.

18 Q: So -- and well, why -- what did you observe though
19 exactly, why did you believe it wasn't, you know --

20 A: There was a -- a square metal bracket that was affixed
21 to the cracked header that looked like it was made from what might
22 be non-galvanized metal, and so it made me think it must have been
23 from perhaps the 60s or s70s, I really wouldn't know when it was
24 attempted to be fixed, but it did not look like something that had
25 been a new occurrence, no.

1 Q: Okay. So around of -- around August of 2024, did you
2 find anything out about violations that DOB placed on the
3 building?

4 A: Yeah, I found out that DOB had done an inspection and
5 did a violation that there was failure to keep the building in an
6 -- in a safe condition, I believe it was phrased, and then there
7 was an order for shoring to be put up in the building.

8 Q: Did you speak with Mr. Geylik at all about those
9 violations?

10 A: Yes, I talked to Mr. Geylik about it, and at the time he
11 said he -- he was unaware of why the Department of Buildings came
12 in the first place, and he -- if memory serves correct, he was
13 asking both me and Thomas if we were the cause of the Department
14 of Buildings coming to visit, which I've later learned is not.

15 Q: So expand on that, did you -- how did you find out later
16 that it was not?

17 A: Well, formally -- the -- I -- you know, so -- so in
18 August when the Department of Buildings did their inspection, all
19 of the tenants and Mr. Geylik included were trying to make sense
20 of it, you know, in general, and we were worried that an order to
21 vacate was about to commence, and I got in touch with the
22 engineer, Phillip Ang from the Forensics Department of Department
23 of Buildings, and I asked him, you know, why the Department of
24 Buildings did this inspection, and -- and I said that, Mike -- you
25 know that Mr. Geylik was claiming he didn't know why, and Phillip

1 Ang said, I'm not at liberty to say why the Department of
2 Buildings is coming, but Mr. Geylik knows exactly why the
3 Department of Buildings is coming and you'll have to ask him for
4 further information, and when I asked Mr. Geylik, he still claimed
5 to not know why the Department of Buildings came.

6 Q: So then later on, what did you find out about -- about
7 who -- about this?

8 A: Well, the only -- the first formal admittance of Mr.
9 Geylik seemingly calling the Department of Buildings on himself
10 was, the first time I -- I got notice of it was reading it in an
11 article in Hell Gates of him providing commentary that he -- and
12 an explanation of why he called the Department of Buildings on
13 himself, that it was in concern about the earthquake of April,
14 2024, to which seemingly -- yeah, that's why.

15 Q: Now, were you concerned about these violations; did you
16 have any concerns about them?

17 A: Yes, yes.

18 Q: What was your concern?

19 A: I had a number of concerns, the most important concern
20 was that an order to vacate was going to be done for the tenants
21 in the building at any given moment, and my other concern was that
22 we were going to lose our homes and be given nothing in return.

23 Q: So did you feel secure about staying in your home?

24 A: No.

25 Q: Why was that?

1 A: Well, there just seemed to be continual plot twists
2 through since between August and now, and I wasn't really sure
3 what to expect next.

4 Q: So what was -- what plot twists are you referring to?

5 A: Oh, I mean, for -- for instance, just the -- the whole
6 context of the Department of Buildings inspection coming in, and
7 then shortly thereafter, Philip Ang giving me reason to, you know,
8 think that there's more to this story than I'm being led to
9 believe, so.

10 Q: So after this, did you -- did you feel Mr. Geylik was
11 trustworthy when you were --

12 A: No.

13 Q: Why not?

14 A: Because I didn't understand why he wouldn't be honest
15 about calling the Department of Buildings on his own building
16 right out the gate. He was -- said a number of things of -- you
17 know, that he might have to sell the building, that he might -- he
18 doesn't know how he's going to pay for the expenses of the repairs
19 and a variety of other things, and --

20 Q: Now, after DOB issued these violations, did you observe
21 any -- any work in the lower floors of the building?

22 A: Yeah, there was temporary shoring put up on the ground
23 level where the MGNY office is located, and then there was
24 temporary shoring, I believe, put on the 2nd floor.

25 Q: Okay. Towards the end of last year, probably around

1 November, was there anything happening on your floor in terms of
2 work being done?

3 A: Yes.

4 Q: What type of work was that?

5 A: There was demolition.

6 Q: And how close to your room was it happening?

7 A: Right next to my room, in the unit right next to my
8 room, and another unit on my floor and several other units in the
9 building.

10 Q: Did you get any notice about the demolition work that
11 was happening?

12 A: No.

13 Q: So what did you observe the workers doing with the
14 materials that they were demolishing?

15 A: To condense it, they seem to be removing the floors and
16 the ceilings without covering the doors, and they're hauling out
17 what may have seemingly been hundreds of pounds of debris from the
18 floors and the ceilings being removed.

19 Q: Now, in light of the DOB violations that were issued,
20 what -- how did you feel about the demolition work that was
21 happening in November?

22 A: Well, my understanding of the -- the issues that DOB was
23 bringing to light were that there were cracked headers and footers
24 and beams in the building, that there were issues with the
25 infrastructure, and I didn't understand why they would be doing

1 demolition in a building that's already fragile.

2 MR. MESTOUSIS: Your Honor, I'd like to show the
3 witness three videos, Exhibit 13, 13A and 13B for
4 identification.

5 ALJ STECURA: Okay. You may.

6 MR. MESTOUSIS: Do you want me to go up to that
7 computer and start playing the video or?

8 ALJ STECURA: Do you have a mouse to do it from
9 where you're at?

10 MR. MESTOUSIS: I don't think so.

11 MS. JOSEPH: We don't have anything here, Your
12 Honor.

13 ALJ STECURA: Okay. Then I guess you have to come
14 up. Sometimes --

15 MR. MESTOUSIS: Okay.

16 ALJ STECURA: -- there's a mouse at the table.

17 MR. MESTOUSIS: All right, let's see. I also have
18 extra hard drives or flash drives of the videos; do you need
19 them for evidence or do -- is it sufficient that they're
20 right here on the screen and in the --

21 ALJ STECURA: Have these been already shared with
22 your --

23 MR. MESTOUSIS: I have --

24 ALJ STECURA: -- colleagues across the aisle, and
25 have you sent those to Ms. Miller already?

1 MR. MESTOUSIS: Those have been sent in the
2 finalized exhibits list that we have the folder, so they're
3 in there --

4 ALJ STECURA: Okay.

5 MR. MESTOUSIS: -- as Exhibit 13.

6 ALJ STECURA: Then, I -- I don't need anything
7 further as long as it was sent to Ms. Miller.

8 MR. MESTOUSIS: Yes.

9 MR. HALL: Can I also trouble you for a cup of
10 water?

11 MS. JOSEPH: Yeah -- yes, I'll -- I'll take care of
12 it.

13 [OFF MIC CONVERSATION]

14 MR. HALL: Thank you.

15 ALJ STECURA: And you can put that other exhibit to
16 the side, sir, the one in front of you. Thank you.

17 Q: So I'm just going to show you these videos and I'm going
18 to ask some questions.

19 ALJ STECURA: And this is for identification
20 purposes?

21 MR. HALL: For identification purposes, yes.

22 [VIDEO PLAYED]

23 MR. HALL: I have to play 13A. Do you want me to
24 do it individually?

25 ALJ STECURA: Yes, please.

1 MR. HALL: Sure. Okay.

2 Q: So Michael, who took this video?

3 A: Sorry, did --

4 Q: I'm sorry, Zachary, who took this video?

5 A: Me.

6 Q: Yes. When did you take this video?

7 A: I believe it was November 1st.

8 Q: Okay. Of what year?

9 A: Of 2024.

10 Q: And did you observe the conditions in this video?

11 A: Yes.

12 Q: Are the conditions depicted in the video a true and
13 accurate description as it existed on the day that the video was
14 taken?

15 A: Yes.

16 MR. MESTOUSIS: Your Honor, I'd like to admit
17 Exhibit 13 into evidence.

18 ALJ STECURA: Any objection?

19 MR. VLADIMIR FAVILUKIS: No.

20 ALJ STECURA: Okay. Exhibit 13 is in evidence.

21 **[Petitioner's Exhibit 13 admitted into evidence.]**

22 ALJ STECURA: I would like to show the next video,
23 Your Honor, for identification.

24 ALJ STECURA: Do you want to ask any questions
25 about the video --

1 MR. MESTOUSIS: Sure, I guess before we can --

2 ALJ STECURA: -- before you move on.

3 Q: So, Zach, you mentioned in this video that you were
4 going to ask Michael for a hotel stay?

5 A: Yes.

6 Q: Did you ask Michael?

7 A: I was not able to have any communication with Michael on
8 the day that this happened. He avoided all communication with me
9 that day.

10 Q: Okay. And just describe to me the condition as it's in
11 the video?

12 A: The condition is that they were removing the ceilings
13 and the floors from the vacant units, and I was having a hard time
14 breathing in my unit and in the hallways. And there -- prior to
15 me taking that video, there was a gigantic pile of rubble and
16 debris in the hallway of a building that's over 100 years old. So
17 God only knows what that debris and rubble was, so.

18 Q: Now you were wearing a mask. Why were you wearing a
19 mask?

20 A: Well, in that clip, I -- I wasn't wearing a mask, but
21 later I was wearing --

22 Q: I'm sorry --

23 A: Yes.

24 [OFF MIC CONVERSATION]

25 MR. MESTOUSIS: Your Honor, can we play it one more

1 time, the video?

2 ALJ STECURA: That's fine.

3 [OFF MIC CONVERSATION]

4 MS. JOSEPH: I'm just asking, Your Honor, we are
5 not -- we are not able to stop it while it's blank, from here
6 you have to go to the --

7 [VIDEO PLAYED]

8 Q: Can you tell me, you opened the door and where -- where
9 -- where's that location?

10 A: So I live in 4D -- apartment number 4D and so I was
11 exiting my unit into the hallway and it's on the 5th floor of the
12 building.

13 ALJ STECURA: Okay. Counselor, note for the
14 record, at what time you stopped the video.

15 MR. MESTOUSIS: Yes.

16 MS. JOSEPH: Oh, okay. I wrote it down, if you
17 tell -- oh, you don't -- okay.

18 ALJ STECURA: Just look at the video.

19 MR. MESTOUSIS: Sure. I'm going to continue.

20 ALJ STECURA: But what time did you stop the video
21 at for the record, please?

22 MS. JOSEPH: So you have it, it's --

23 MR. MESTOUSIS: 10:15 AM.

24 MR. FAVILUKIS: I think you should just say it's 23
25 seconds into the video.

[10:16:55]
[00:33:00-1]

1 ALJ STECURA: Exactly.

2 MR. MESTOUSIS: Oh, I'm sorry. 23 seconds into the
3 video.

4 ALJ STECURA: Thank you.

5 MR. MESTOUSIS: I'm going to continue the video.
6 I'm sorry, one more question regarding this location here.

7 Q: Is there -- there's a door -- there's an apartment
8 number, what apartment is that?

9 A: I believe that apartment is 4C, that we're looking at
10 right now on the screen with all of the debris.

11 Q: So this is basically the four -- 4C area?

12 A: Yes, that I'm looking at from the outside of the unit.

13 [VIDEO PLAYED]

14 MR. MESTOUSIS: I stopped the video at 1.02.

15 Q: Now what are we looking at in this frame right here?

16 A: Here, we're looking at the ceiling of unit number 4C or
17 what used to be the ceiling. It has all been removed and I think
18 there's just a sprinkler pipe and exposed electrical wires that
19 were left in what seems to be a hazardous condition.

20 MR. MESTOUSIS: Okay.

21 [VIDEO PLAYED]

22 [OFF MIC CONVERSATION]

23 ALJ STECURA: So for the record, you played the
24 video through?

25 MR. MESTOUSIS: Correct, yes. Your Honor, I'd like

1 to go back to 23 seconds if that's possible.

2 ALJ STECURA: Is it necessary to ask for a
3 question?

4 MR. MESTOUSIS: Yes.

5 MS. JOSEPH: It's -- it's a --

6 ALJ STECURA: Oh, one person's -- I'm s -- Mr.
7 Mestousis can handle answering the question. One person
8 speaks, please.

9 MS. JOSEPH: Sure.

10 MR. MESTOUSIS: Yes.

11 [VIDEO PLAYED]

12 Q: I believe already that was -- can you just start by what
13 apartment that was?

14 A: 4C.

15 MS. JOSEPH: May I approach, Judge, because I
16 wanted to communicate with him because I'm --

17 [OFF MIC CONVERSATION]

18 MR. MESTOUSIS: I'm sorry, Your Honor, we can frame
19 this a little bit further.

20 [VIDEO PLAYED]

21 [OFF MIC CONVERSATION]

22 MR. MESTOUSIS: So --

23 ALJ STECURA: Note for the record where you're
24 stopping at.

25 MR. MESTOUSIS: For the record we are at 51 seconds

1 of the video.

2 Q: Mr. Hall, can you tell me, there's a door there, where
3 does that door lead to?

4 A: That door leads to another vacant unit, I believe it's
5 4A.

6 Q: 4A?

7 A: Yeah.

8 MR. MESTOUSIS: Okay, Your Honor, I think we're
9 done with this video. Can I show the witness 13A for
10 identification?

11 ALJ STECURA: Okay. And do you -- actually just go
12 through.

13 MR. GOLDSMITH: I'm sorry, one second.

14 MR. MESTOUSIS: Yes.

15 MR. GOLDSMITH: So in the Dropbox you have them
16 labeled as 13, 13 (2) and 13 (3) is -- is that 13, and then
17 13 (2) is one, and 13 (3) is one?

18 MR. MESTOUSIS: I think that's accurate, there's
19 properly 13, 13A, 13 --

20 [OFF MIC CONVERSATION]

21 MR. GOLDSMITH: Okay. I mean, I'm --

22 ALJ STECURA: This is something for you guys to
23 discuss at break as well.

24 MR. GOLDSMITH: Okay.

25 [OFF MIC CONVERSATION]

1 Q: Mr. Hall, did you take this video?

2 A: Yes.

3 Q: When did you take this video?

4 A: On November 1st, 2024.

5 Q: And did you observe the conditions in the video?

6 A: Yes.

7 Q: Are the conditions depicted in the video a true and
8 accurate description as it existed on the date you took this
9 video?

10 A: Yes.

11 MR. MESTOUSIS: Your Honor, I'd like to admit
12 Exhibit 13A into evidence.

13 ALJ STECURA: Any objection?

14 MR. FAVILUKIS: No objection, Your Honor.

15 ALJ STECURA: All right. 13A is in evidence.

16 **[Petitioner's Exhibit 13A admitted into evidence.]**

17 ALJ STECURA: Thank you.

18 MR. MESTOUSIS: Your Honor, if I may just show the
19 witness --

20 ALJ STECURA: Yes, you may.

21 MR. MESTOUSIS: We are actually right at the
22 beginning, 0.0.

23 Q: Mr. Hall, there's a bunch of garbage bags it seems, and
24 some wood. Can you tell me are -- was this hauled out of the
25 building?

1 A: Yes.

2 MR. MESTOUSIS: I'm sorry, I'm at six seconds.

3 Q: Can you just tell me where -- what is the location right
4 now, is this in the hall, on the floor, is it in an apartment?

5 A: Yes, this is in a hallway on the 5th floor.

6 Q: Can you tell me --

7 MR. MESTOUSIS: I'm at 15 seconds, Your Honor.

8 Q: Can you tell me, there is a door frame there, do you
9 know what room that is?

10 A: There's the doorframe to my room, which is 4D and then
11 there's a doorframe to -- which is 4C -- unit 4C, the opposite
12 side on the right side, yeah.

13 MR. MESTOUSIS: And -- I'm sorry, I'm just going to
14 go a little back to like 14 seconds.

15 Q: So at 14 seconds it shows a bunch of debris, what
16 apartment that is -- is that again?

17 A: 4C.

18 Q: 4C. Across the hall there's a apartment door. What's
19 that?

20 A: 4A.

21 Q: And which apartment is that?

22 A: That's 4 -- apartment 4A -- unit 4A.

23 Q: Is that a vacant unit?

24 A: Yes.

25 MR. MESTOUSIS: We're at 20 -- stopping at 26

1 seconds.

2 Q: I see another door frame there, what apartment is that?

3 A: We're now in the interior of my unit 4D.

4 MR. MESTOUSIS: Okay. That's it, Your Honor, for
5 this video.

6 ALJ STECURA: Okay. So I'll note that the video
7 has ended.

8 MR. MESTOUSIS: And, Your Honor, I'd like to show
9 the witness 13B for identification.

10 ALJ STECURA: You may. Does --

11 [OFF MIC CONVERSATION]

12 ALJ STECURA: Can you pause for one moment? Does
13 Counsel stipulate to admissibility of this video?

14 MR. FAVILUKIS: Yes, we just want to clarify the
15 date. I'm not sure if -- if it was stated.

16 ALJ STECURA: Could you state what video -- what
17 date this video was taken?

18 MR. HALL: This video was taken on the same date as
19 the other videos, November 1st, 2024.

20 ALJ STECURA: Okay, so with --

21 MR. FAVILUKIS: So that's the day after Halloween,
22 right?

23 MR. HALL: Yeah.

24 MR. FAVILUKIS: Okay.

25 ALJ STECURA: Well, you can ask that on --

1 MR. FAVILUKIS: Sure, sure.

2 ALJ STECURA: -- redirect examination.

3 MR. FAVILUKIS: Just wanted to clarify.

4 ALJ STECURA: For purposes of admission, Respondent
5 has stipulated to admissibility. So Exhibit 13B is in.

6 **[Petitioner's Exhibit 13B admitted into evidence.]**

7 ALJ STECURA: So just as you play it, ask your
8 questions, please.

9 [VIDEO PLAYED]

10 MR. MESTOUSIS: I stopped the video, Your Honor, at
11 20 seconds.

12 Q: Mr. Hall, you're wearing a mask. Why are you wearing
13 this mask?

14 A: I'm sorry, I'm a little distracted by Mike giggling.

15 Q: I'll repeat the question. You're wearing a mask, why
16 are you wearing a mask in this video?

17 A: Because I couldn't breathe in my room, I was having
18 difficulty breathing.

19 Q: You also mentioned the sore throat. Was that -- did
20 that persist for a long time?

21 A: Yeah, then -- the rest of the day, yeah.

22 [VIDEO PLAYED]

23 MR. MESTOUSIS: That's the end of the video. I
24 just have some additional questions.

25 Q: So throughout these videos, we're seeing a lot of debris

1 and -- and garbage, was all that taken out?

2 A: Eventually.

3 Q: Eventually.

4 A: Well, I -- I -- I actually don't know. I'm -- I don't
5 know to what extent of debris was left in any individual unit and
6 how much of it was taken out, but what seemed to be on that day,
7 many bags of debris and construction materials were hauled out
8 what may have been hundreds of pounds of debris.

9 Q: So how about like walls and ceilings, floors, were those
10 materials removed as well?

11 A: I believe the ceilings and the floors were removed, but
12 I didn't enter any of the vacant units, so I don't know to what
13 extent the walls were affected.

14 Q: Okay. Was anything provided by Mr. Geylik to alleviate
15 the -- the -- the dust that was being created by the work?

16 A: Well, an interesting thing happened; when the demolition
17 was occurring, there was no barriers put up to prevent the dust
18 from entering into the hallway. It was done very haphazardly, but
19 after all of the -- after the -- the bulk of the work was done,
20 some plastic zip line do -- plastic zip line barriers were placed
21 over the doors after the work had been done, which didn't really
22 serve any utility because all of the dust had already been kicked
23 up all through the building. So it seemed -- I -- I didn't really
24 understand the purpose at that point.

25 Q: Now, besides -- besides the -- the dust and -- and the

1 breathing problems you -- you were having because of the
2 demolition work, any other impact that it had on you, the
3 demolition work?

4 A: Yeah. Well, the -- the impact that it's had on me is
5 the concern of -- as I said before, if there's a building that has
6 these fragile parts to the infrastructure, I don't understand why
7 they would want to do demolition in all these empty units, and the
8 effect it's had on me is being concerned for my own safety in the
9 building.

10 Q: Well, your safety in what way?

11 A: You know, that -- that these -- that this demolition
12 could have been and could in the future be a catalyst for problems
13 in the building.

14 Q: Did you -- did you inform Mr. Geylik about the issues
15 that the demolition work was causing?

16 A: Yes.

17 MR. MESTOUSIS: Okay. Your Honor, I'd like to mark
18 for identification Petitioner's 10.

19 ALJ STECURA: You may.

20 [OFF MIC CONVERSATION]

21 ALJ STECURA: Thank you.

22 MS. JOSEPH: Are you -- do you require the hard
23 copy or are you looking at it on the screen?

24 MR. GOLDSMITH: No, I'm good.

25 MS. JOSEPH: You're good?

1 MR. FAVILUKIS: I -- no, it'll be good because ours
2 is signed.

3 MS. JOSEPH: Oh, you're good?

4 MR. FAVILUKIS: Yes.

5 MS. JOSEPH: Okay. Okay. Sure.

6 ALJ STECURA: Okay. Are you directing the witness
7 to look at it?

8 MR. MESTOUSIS: Yes.

9 Q: If you could just look at it, and then I'm going to ask
10 you some questions.

11 [OFF MIC CONVERSATION]

12 Q: Mr. Hall, did you take these screenshots of these text
13 messages?

14 A: Yes.

15 Q: And is the information depicted in the text messages a
16 true and accurate description as it was when these text messages
17 were sent?

18 A: Yes.

19 Q: It accurately depicts the text contained therein?

20 A: Yes.

21 MR. MESTOUSIS: Your Honor, I'd like to admit into
22 evidence Exhibit 10.

23 ALJ STECURA: Any objection?

24 MR. FAVILUKIS: No objection.

25 ALJ STECURA: Thank you. Petitioner's Exhibit 10

1 is now in evidence.

2 **[Petitioner's Exhibit 10 admitted into evidence.]**

3 Q: So, Mr. Hall, I just want you to take a look at the
4 second page, page 2 of 4. It seems like you're having a
5 conversation here with Mr. Geylik, can you please tell me what the
6 conversation's about?

7 A: Are you talking about the conversation on November 1st,
8 just to clarify?

9 ALJ STECURA: So can you clarify your question,
10 please?

11 MR. MESTOUSIS: Yes.

12 Q: Can you look at November 5th, can you tell me the --
13 what you are trying to -- I'm sorry. Hold on a second. Under
14 Friday -- in the middle of the page, it says Friday, November 1st
15 --

16 [CROSSTALK]

17 ALJ STECURA: What page are you on?

18 MR. MESTOUSIS: Page 2 of 4.

19 Q: Do you see the --

20 A: Yeah.

21 ALJ STECURA: Is that counting the cover page?

22 MR. MESTOUSIS: No, that's -- not counting the
23 cover page --

24 MS. JOSEPH: Page 3 from the cover page.

25 MR. MESTOUSIS: Page 3 from the cover page, Your

1 Honor.

2 Q: Do you see the --

3 A: Yes.

4 Q: Can you tell me what it says?

5 A: From Friday, November 1st at 6:16 PM?

6 Q: Correct. Yes.

7 A: I wrote, "Should I email you an invoice for a hotel?

8 How many days is this going to be? I can't sleep with this thing
9 on."

10 Q: So how come you were asking for a hotel?

11 A: Because I was having trouble breathing in my home due to
12 the dust from the construction debris.

13 Q: You -- so you said, I can't sleep with this thing on,
14 what were you referring to?

15 A: I was referring to the respirator that I was wearing.

16 Q: Okay. And did Mr. -- Mr. Geylik respond to you?

17 A: No, he didn't respond on that day.

18 Q: Okay. So if we go lower on that same page, Tuesday,
19 November 5th, we see Mr. Geylik's response. Can you just
20 summarize what his response was for us; you don't have to read it
21 out completely. Just --

22 A: His response was that he doesn't know why I would think
23 that he was accountable to pay for a hotel stay for -- during that
24 time when I was having a hard time breathing in my unit, and he
25 was saying that they were not doing any demolition or

1 construction, and that they're performing mere probing as
2 necessary and claiming that all necessary safety precautions are
3 being employed, and --

4 Q: Okay. And -- so in addition to these text messages, did
5 you make any other attempts to contact Mr. Geylik?

6 A: Yes.

7 Q: And what were those attempts?

8 A: The ne -- so the -- the day of, I tried calling both his
9 phone number and I believe the MGNV office, and we talked to one
10 of the employees for MGNV Mint, and Michael Geylik was unavailable
11 to correspond with me about these issues, and eventually his
12 brother Yuri spoke with me and Thomas Ducklith, so --

13 Q: What did his brother say?

14 A: His brother said that -- that -- essentially that he was
15 speaking on behalf of Michael Geylik, or -- well, how would I put
16 it; he was trying to answer our questions and -- about, you know,
17 what to do next, and he said if, you know -- if we feel unsafe,
18 that we're, you know -- it's -- it's -- it's our own volition to
19 be there and we're free to stay or go as we see fit.

20 Q: And what did you understand that to mean, like stay or
21 go as you see fit temporarily, permanently?

22 A: Well, honestly, I felt like there was a subtext to what
23 he was saying. I felt like the subtext to what I was interpreting
24 was like, if you don't like it, you can leave.

25 Q: Besides that conversation, did you make any other

1 attempts to contact Mr. Geylik?

2 A: Yes. Yes. The next day I called Mr. Geylik from my
3 girlfriend, Kelly Kim's phone number, and he picked up that phone
4 call perhaps because he was unaware of the phone number I was
5 calling from. So the next day, that Saturday.

6 Q: And what did he say?

7 A: I asked him if there was going to be more construction
8 or how long I should stay out of my unit or when it would be safe
9 for me to come back when it'd be a habitable place to stay, and I
10 said, how long should I be gone, and he said something to the
11 effect of, stay gone for a day, a week, a month, a year. I don't
12 care how long you're gone, come, you know --

13 Q: And again, did you take that to mean he was saying leave
14 permanently, leave temporarily?

15 A: I think it was an open-ended statement left to
16 interpretation.

17 Q: What -- what do you mean by that -- well, what -- what
18 was your interpretation of it then if?

19 A: I mean, I -- my interpretation of it was that he didn't
20 care about my livelihood. Yeah.

21 Q: Okay. Ex -- expand on that, your livelihood meaning?

22 A: Just that, you know, this is my home and that the
23 demolition that was occurring was impacting my ability to breathe
24 in my unit, and I made that clear through the text messages and
25 multiple attempts of communicating, and I just wanted an answer of

1 when it was safe for me to come back and -- and how long I ought
2 to be gone for, and he said, you can stay gone as long as you
3 want. And I believe he said a day, a week, a month, or a year, I
4 don't care.

5 Q: Okay.

6 A: Said something to that effect. I can't transcribe it
7 exactly, but --

8 MR. MESTOUSIS: Okay.

9 [OFF MIC CONVERSATION]

10 MR. MESTOUSIS: Just one minute, Your Honor.

11 Q: So after all this happened, after you had that
12 conversation, how safe did you feel in your home?

13 A: Well, you know, as -- as we can read in the text message
14 a few days later, there was more work being done in one of the
15 rooms on Tuesday, November 5th.

16 ALJ STECURA: Okay. So I'm going to direct you,
17 unless your coun -- the coun -- not your counsel, excuse me,
18 HPD counsel directs you to look at an exhibit, do not refer
19 to it. Thank you.

20 MR. HALL: Sorry.

21 A: Can you repeat the question? I'm sorry.

22 Q: Sure. So how safe did you feel in your home after this
23 happened, after you had this conversation?

24 A: I didn't feel safe after this conversation.

25 Q: And how come?

1 A: Because what seems to be toxic dust was circulating my
2 building.

3 [OFF MIC CONVERSATION]

4 MR. MESTOUSIS: We're done, Your Honor.

5 ALJ STECURA: Okay. So we're going to take a very
6 short break. Let's come back at 10:55. I'm going to direct
7 the witness; you cannot speak to anyone about your testimony.
8 It's still in progress, okay? So just talk to people about
9 other -- other matters, okay?

10 MR. HALL: Okay.

11 ALJ STECURA: Thank you. So let's come back at
12 10:55 and I'm going to pause the record.

13 MS. JOSEPH: And the witness could leave the --

14 ALJ STECURA: Yes.

15 MS. JOSEPH: -- the chair? Okay.

16 [OFF THE RECORD]

17 [ON THE RECORD]

18 ALJ STECURA: It is now 11:01 AM, we are back on
19 the record. And counsel for HPD has one question it wishes
20 to ask of Mr. Hall. So I will allow that.

21 MR. MESTOUSIS: Yes, Your Honor. Your Honor, I'd
22 like to go back to Petitioner's 13, and I'm going to fast
23 forward to 51 seconds.

24 ALJ STECURA: This is 13, not -- just 13 straight,
25 51 seconds.

1 MR. MESTOUSIS: Yes.

2 ALJ STECURA: Okay.

3 [VIDEO PLAYED]

4 Q: So, Zach, I just wanted to ask, there's a crack at that
5 door over there, you can kind -- what is your observation with
6 respect to the floor in that apartment?

7 A: So both the floor of that apartment and the ceiling from
8 the apartment above it were removed.

9 Q: They were removed? Okay.

10 A: Yeah.

11 Q: Okay.

12 A: You can -- you can see right through --

13 ALJ STECURA: There's no question pending. Thank
14 you.

15 Q: Now you can tell that from this video right here?

16 A: Yes.

17 Q: Have you been into --

18 ALJ STECURA: No, that's more than one question.

19 MR. MESTOUSIS: Thank, Your Honor.

20 ALJ STECURA: Thank you. All right. Would you
21 like to cross examine the witness?

22 MR. FAVILUKIS: Yes, Your Honor. Thank you.

23 ALJ STECURA: Okay. You may.

24 MR. FAVILUKIS: Thank you.

25 **CROSS EXAMINATION OF MR. HALL**

1 **BY MR. FAVILUKIS:**

2 Q: Good morning, Mr. Hall. My name is Vladimir Favilukis.
3 I -- I just -- I had a question, it -- I think it was Exhibit 13B,
4 we don't need to show it again, I can describe it. It was one of
5 the videos. You mentioned that in the video where you're wearing
6 that big mask, that was November 1st and I asked out of turn,
7 that's the day after Halloween. So that was the day after
8 Halloween, right?

9 A: Yeah.

10 Q: November 1st?

11 A: Perhaps. Yeah.

12 Q: What day is Hall -- Halloween?

13 A: I mean, isn't Halloween the last day of October, every
14 year?

15 Q: Usually, it's October 31st.

16 A: Yeah.

17 Q: That video that you took, was that in the morning?

18 A: That was sometime, I believe, between 10:00 AM and noon.

19 Q: Is that the morning?

20 A: Yeah.

21 Q: And was that mask part of your Halloween costume?

22 A: No.

23 Q: No?

24 A: No.

25 Q: The -- but again, I just want to confirm that you know

1 what day Halloween is?

2 MS. JOSEPH: Objection, Your Honor.

3 MR. FAVILUKIS: Okay.

4 ALJ STECURA: Asked and answered.

5 MR. FAVILUKIS: Understood. Thank you, Your Honor.

6 Q: What's your profession, Mr. Hall?

7 A: I'm an artist.

8 Q: Okay. You're a working artist?

9 A: Yes. I work on my art every day.

10 Q: Okay. The reason I'm asking is because you made some
11 comments about structural stability in the building, I think you
12 had a -- you -- you referred to something as non-galvanized metal,
13 and fragility of the building. I assumed you had an engineering
14 or construction background. Do you have an engineering or
15 construction background?

16 A: No.

17 Q: Okay. You made some comments about demolition work
18 being done, and that I interpreted your answers to Mr. Mestousis
19 questions as that you felt that the construction work should have
20 been done in a different way.

21 MS. JOSEPH: Objection, Your Honor, is --

22 MR. FAVILUKIS: I haven't asked the question.

23 ALJ STECURA: The que -- the question hasn't been
24 asked.

25 MS. JOSEPH: Okay. Okay. Thank you, Your Honor.

1 MR. FAVILUKIS: Thank you.

2 Q: Did -- did I interpret your answers correctly that you
3 felt that the construction work should have been done in a
4 different way?

5 A: I don't believe any construction work should have been
6 done at all.

7 Q: Okay. And again, I just want to confirm you don't have
8 an engineering background, correct?

9 MS. JOSEPH: Objection, Your Honor. It's asked and
10 answered.

11 MR. FAVILUKIS: Is there a way that I can ask my
12 que -- I mean, I -- I understand that there's going to be an
13 objection every few minutes, like last time --

14 ALJ STECURA: So what I'm going to ask, we're all
15 going to act professionally. That's our minimum standard.
16 Let's wait until the question has been asked before we
17 object, and then give me time to reflect on the objection,
18 but we don't have to object to everything.

19 MR. FAVILUKIS: Thank you, Your Honor.

20 ALJ STECURA: Okay.

21 Q: So you -- again, just to repeat your answer, you -- you
22 said you didn't think that any work should have been done at all,
23 correct?

24 A: What you asked was if any construction work should have
25 been done.

1 Q: That's not what I asked. I asked whether --

2 ALJ STECURA: Okay. The record will reflect what
3 it reflects. If he's already answered your question, he's
4 already answered the question. You don't have to reemphasize
5 the question.

6 MR. FAVILUKIS: I understand. But -- but because
7 the answer to the question leads to my next question, so I
8 want to make sure that we're on the same page, the witness
9 and I.

10 Q: Your answer to me -- my question was, I thought I
11 interpreted your answers before as you saying that the work should
12 have been done in a different way, and you responded saying you
13 did not feel that any work should have done at all?

14 A: What I thought was that Department of Buildings asked
15 for probing to be done and not demolition, and so when demolition
16 occurred, I didn't agree with that.

17 Q: Understood. And you thought that based on your
18 conversation with -- with Philip Ang, the foren -- the DOB
19 forensic engineer, is that correct, or what was the basis for you
20 thinking that?

21 ALJ STECURA: So you're withdrawing your first
22 question?

23 MR. FAVILUKIS: No, no, Your Honor. I'd like the
24 first question being answered, I apologize.

25 ALJ STECURA: That's a compound question. Which

1 question do you want answered?

2 Q: Did you infer that from your conversation with Philip
3 Ang?

4 A: I wasn't able to breathe in my unit. That's why I
5 thought that it was inappropriate for what was being done on that
6 day.

7 Q: Sorry, earlier proceeding question, you answered saying
8 you thought that the Department of Buildings said that probing
9 should be done, not demolition work. And I asked, did you infer
10 that from your conversation with Philip Ang, and --

11 A: No.

12 Q: No. What did you infer that from that -- the Department
13 of Buildings wanted probing to be done?

14 A: Okay. Can you -- can you expand on your question, I'm a
15 little -- little lost on -- on what you mean.

16 Q: What made -- sure. What made you think that the
17 Department of Buildings wanted Mr. Geylik to do probing in the
18 building?

19 A: After the fact Mr. Geylik wrote in his text message that
20 they wanted to do probing. It's written in the text message.

21 Q: But before the fact, before Mr. Geylik wrote in -- I --
22 I guess I -- I could go to that now. That's Exhibit 10 I think
23 you're referring to, correct?

24 A: Yes.

25 Q: You have that there in front of you?

1 A: Yes.

2 MR. FAVILUKIS: Okay.

3 ALJ STECURA: Are you directing him to look at it?

4 MR. FAVILUKIS: Yes, in a second. So we -- there
5 was a -- a conversation -- a line of questioning about the
6 response that Mr. Geylik wrote to Mr. Hall, and it's page 3
7 on Exhibit 10, I believe that includes the cover page, so
8 that would be 2.

9 Q: Can you look at that for me, please, and I'm referring
10 to the -- and I think you're referring -- and that's what I'd like
11 to clarify, I think you're referring to the text in gray at the
12 bottom -- at the bottom left.

13 MR. FAVILUKIS: And, Your Honor, is it okay if I
14 ask the witness to read it, or --

15 ALJ STECURA: Why don't you direct him to what you
16 want him to read?

17 Q: Could you read back to me Mr. Geylik's response to you
18 there at the bottom of the page on the left -- left corner?

19 ALJ STECURA: You want him to read the entire
20 thing?

21 MR. FAVILUKIS: Yeah. It's short. I mean --

22 ALJ STECURA: Okay. Go ahead.

23 Q: Out loud.

24 A: So "We are performing probing as necessary in order to
25 ascertain the --

1 Q: I'm sorry. I apologize. That's not what I'm looking
2 at, mine starts at Zach.

3 A: Okay.

4 Q: I'm not sure, is that what you're looking at?

5 A: Zach -- okay. "Zach, I'm not sure why you believe that
6 we would pay for your hotel. As I have already advised you, we
7 are not doing any demolition or construction. We are performing
8 probing as necessary in order to ascertain the extent of any
9 structural instability issues in the building and term to --
10 determine how best to address these issues moving forward."

11 Q: Okay. And so it's your testimony now that this is what
12 made you believe that the Department of Buildings wanted Mr.
13 Geylik to do the probing. It was not anything else prior to this
14 text, correct?

15 A: I believe there was something prior to this text.

16 Q: What was that?

17 A: I -- but I can't recall right off the top of my head
18 right now.

19 Q: Okay. Mr. Hall, did you complain to the DOB after you
20 call -- after this text and the November 1st occurrence, did you
21 make a -- a complaint either 311 or to the do -- DOB about this?

22 A: Not about this.

23 Q: What did you complain to the DOB about?

24 MS. JOSEPH: Objection, Your Honor. I don't think
25 that there's any -- anything in evidence that is -- Counsel

1 is basing his question about. It's outside the realm of
2 evidence in this case, not --

3 ALJ STECURA: Overruled.

4 MR. FAVILUKIS: Thank you.

5 Q: What did you complain to the DOB about?

6 MS. JOSEPH: I'll just ask -- I'm sorry. I'll have
7 another objection. I just want to ask Counsel to clarify at
8 what time is he referring to, is it throughout his lifetime,
9 is it a particular time, about as far as his -- any complaint
10 to DOB.

11 ALJ STECURA: Can you rephrase the question to be
12 more specific?

13 MR. FAVILUKIS: Sure.

14 ALJ STECURA: Thank you.

15 Q: What are you referring to?

16 A: I -- I put in a complaint to 311 about a bedbug problem
17 in the building, but I don't know that that was through DOB.

18 Q: Okay. Did you complain to the DOB about other tenants
19 in the building?

20 MS. JOSEPH: Objection, Your Honor. That is not
21 part of this evidence. It is -- it is -- has nothing to do
22 with the allegations in this case, and --

23 ALJ STECURA: Sustained. There was nothing in the
24 direct about DOB complaints about other tenants.

25 MR. FAVILUKIS: Yes, Your Honor. Okay.

1 Q: Did -- you mentioned that the work in these vacant
2 departments that you refer to as demolition work had continued
3 after November 1st; is that correct?

4 A: On November 5th, I heard work being done in a room, but
5 I don't know to what extent of work was being done.

6 Q: And I think that you mentioned, in your prior testimony,
7 that at some point there were plastic sheathing put up; is that
8 correct?

9 A: Yes.

10 Q: And where were those plastic sheathings put up?

11 A: They were put up in front of 4C and 4A on my floor.

12 Q: Okay. And you stayed at the building during this time,
13 or you left, I wasn't clear before?

14 A: I stayed with my girlfriend for the bulk of that weekend
15 after this construction or de -- demolition happening, excuse me.

16 Q: So was the plastic sheathing put up after you returned?

17 A: I believe it was put up the -- on November 1st after a
18 great deal of the debris had been hauled out of the building.

19 Q: Got it. So the plastic sheathing was put up on the same
20 day that this work was started; is that correct?

21 A: It -- it was put up after the debris was scattered
22 through our hallways, and the dust had come into my unit already.

23 Q: Sure. And that's -- and the dust -- the -- the mask
24 that -- that whole thing, right. In the video, I believe it was
25 13 B, the one with the worker in the -- oh, I apologize. 13. The

1 -- Exhibit 13, the one with the worker where you come out, there's
2 a worker across the hall in the apartment cleaning up, and you say
3 hello to him and you exchange pleasantries, it seems. I -- that's
4 November 1st, I didn't notice that he was wearing a mask, is that
5 --

6 MS. JOSEPH: Ob -- sorry.

7 MR. FAVILUKIS: I'm just not -- I'm asking a
8 question. Okay. All right.

9 Q: He -- he was not wearing a mask, correct?

10 A: Yes, correct.

11 Q: And did you at that point feel that he should be wearing
12 a mask?

13 MS. JOSEPH: Objection, Your Honor. I mean, I
14 don't see if that is relevant.

15 ALJ STECURA: Overruled. Overruled.

16 MS. JOSEPH: Okay.

17 A: From what I can recall, the workers said to me on the
18 side that they were used to dealing with dust as it's part of
19 their profession, and they had to deal with it on a regular basis.

20 Q: They said this to you in English?

21 A: Maybe not as eloquently, but that -- that was the gist
22 of what they communicated to me.

23 Q: Do you speak other languages, Mr. Hall?

24 A: No.

25 Q: Okay. You just English?

1 A: Yes.

2 Q: Okay. I also noticed in the video, I think it was Mr.
3 Ducklith on the stairwell there, and --

4 MS. JOSEPH: I'm sorry, Judge, the -- the witness,
5 Your Honor, may not -- the witness is nodding his head. I
6 just wanted him to answer.

7 ALJ STECURA: Oh, yes. You need to use words, not
8 gestures so that the record picks it up. So can you re-ask
9 the question?

10 MR. FAVILUKIS: Right. Yes.

11 ALJ STECURA: Thank you.

12 Q: I noticed in the video marked as Exhibit 13, was that --
13 was that also Mr. Ducklith on the stairwell there?

14 A: Yes.

15 Q: Okay. And what caught my attention was that during his
16 entire testimony here on my -- May 8th, Mr. Ducklith was wearing a
17 mask, but in the video, and I just want to, maybe if you could
18 play it back, but I -- I -- did you notice that Mr. Ducklith was
19 also wearing a mask in the video?

20 A: I -- I believe that on that day he had put the mask on
21 and off, perhaps.

22 Q: Okay.

23 A: Like --

24 Q: Do we -- should we play the video --

25 MS. JOSEPH: It's your call, Counselor. Just go

1 through it.

2 Q: -- to refresh --

3 MR. FAVILUKIS: Okay. I don't know how to do it.

4 I'm sorry.

5 [OFF MIC CONVERSATION]

6 [VIDEO PLAYED]

7 MR. FAVILUKIS: Just pausing -- I'm pausing it at
8 30 seconds.

9 Q: I just want to clarify, was that the person that you
10 spoke with about, and you said that --

11 A: I --

12 ALJ STECURA: Wait, wait.

13 Q: I'm sorry, you said --

14 ALJ STECURA: Can you ask a question?

15 MR. FAVILUKIS: Yes.

16 ALJ STECURA: Thank you.

17 Q: Was that the person I meant -- I asked before if you had
18 checked with them if you felt that they needed to wear a mask you
19 said that you spoke to them and they said that they didn't?

20 MS. JOSEPH: Objection, Your Honor. The -- the --
21 the -- Counselor is not repeating the question that he asked
22 before.

23 MR. FAVILUKIS: I'm sorry, what was the question?

24 ALJ STECURA: Okay.

25 MS. JOSEPH: I don't remember.

1 ALJ STECURA: No, no, no, no, no, no, no.

2 MR. FAVILUKIS: Okay. I'll skip -- I'll withdraw.

3 MS. JOSEPH: No.

4 MR. FAVILUKIS: I'll withdraw.

5 MS. JOSEPH: Okay.

6 [VIDEO PLAYED]

7 MR. FAVILUKIS: I'm pausing it at 1:19.

8 Q: Is -- does Mr. Ducklith have his mask on there?

9 A: He has his mask around his neck.

10 Q: Okay. And you're testifying that throughout that day he
11 -- you saw him have his mask on and off, on and off?

12 A: I -- I wouldn't describe it that way, but I know that he
13 had taken it on and off at le -- clearly at least once in that
14 day.

15 Q: But you -- and this is a question, but you can't breathe
16 here, you're saying?

17 A: I guess I don't mean literally I can't breathe, but what
18 I mean is -- is that I was having trouble breathing.

19 Q: Okay. Okay. Now, in the video you mentioned that
20 you're going to try to get the landlord to pay for your hotel; is
21 that right?

22 A: Yes.

23 Q: Did you speak to Mr. Ducklith about him requesting a --
24 a hotel stay that the landlord will pay for also?

25 A: I -- I believe in the video I mentioned it.

[11:19:46]
[01:35:51-1]

1 Q: What did he tell you?

2 A: In -- in that video, I don't know that he commented -- I
3 don't think he commented.

4 Q: Did Mr. Ducklith -- after you shut the video, because I
5 believe the video shuts off right after this, I -- I think you
6 meant -- you said something to him, let me -- let me shut it off
7 or something, and after that video, no further conversation with
8 Mr. Ducklith about him staying at a hotel that the landlord would
9 pay for; is that correct?

10 A: I didn't have a detailed conversation with Mr. Ducklith
11 about him getting a hotel from --

12 Q: Okay. Did you have a conversation with any other
13 tenants in the building about anyone else staying at a hotel or
14 staying elsewhere because they couldn't breathe?

15 A: I -- I -- I don't remember to the extent that I
16 discussed getting a -- a hotel with other tenants in the building.

17 Q: Okay. Are you aware that the DOB issued violations for
18 work without a permit here and then withdrew those violations?

19 A: I don't know. I -- I don't know the details of that.

20 Q: Okay. Okay. I'd like to ask you -- ask you about the
21 earthquake. Okay. You mentioned when -- when Mr. Mestousis asked
22 about it, you said people who have experienced real earthquakes,
23 and I think you implied that for those people who have experienced
24 real earthquakes, that was not a real earthquake, is that correct,
25 is that what you implied?

1 A: From my research, the earthquake in April of last year
2 didn't create any damage to any buildings in the state of New
3 York.

4 Q: Okay. Are you a person -- would you consider yourself a
5 person who has experienced a real earthquake?

6 A: No.

7 Q: No. Have you ever experienced an earthquake before the
8 one in -- I think it was in August -- no, I apolo -- in April of
9 last year?

10 A: If I had, it must have been of a similar level of a
11 tremor without any massive damage to the surrounding area. I -- I
12 don't know.

13 Q: Sorry. You -- you don't know that you -- whether you've
14 ex -- ever experienced an earthquake before April of last year?

15 A: No, I don't know. I -- I mean, because if -- if what
16 was of -- if that earthquake was defined as an earthquake in
17 April, it didn't seem like an earthquake to me. It seemed like a
18 tremor. It didn't seem -- when -- when I think of an earthquake,
19 I think of like major structural damage happening to at least more
20 -- at least one place. But yeah, I mean, how an earthquake is
21 defined might be a bit subtle.

22 Q: I don't understand what that means.

23 ALJ STECURA: Do you have a question?

24 Q: I'd like to clar -- could you clarify that statement,
25 how -- from your understanding how an earthquake is defined is a

1 bit subtle, can you clarify that?

2 A: If I -- I -- I don't know that an earthquake of that
3 level I've experienced because it was so subtle and so minor.

4 Q: You -- you said you did research into this earthquake.
5 What -- what -- what was the level of this earthquake?

6 A: I don't know off the top of my head.

7 Q: Do you know -- do you know how the -- the measurement
8 scale that earthquakes are measured on?

9 A: This is not my area of expertise.

10 Q: Oh, I'm sorry. You just -- I apologize because I
11 assumed you did some -- you said you did some research, I thought
12 --

13 MS. JOSEPH: Ob -- objection.

14 ALJ STECURA: Counselor.

15 MR. FAVILUKIS: Sure.

16 Q: Do you know what decibel levels are?

17 A: Yes.

18 Q: Do you know what decibel level this earthquake was?

19 A: Not off the top of my head, no.

20 Q: Okay. Are you aware of news reports in Manhattan of
21 people running out of their building during the earthquake?

22 A: No.

23 Q: Okay. So you did not consider this a real earthquake?

24 MS. JOSEPH: Objection, Your Honor. I believe that
25 was asked and answered multiple times.

1 ALJ STECURA: Sustained.

2 MR. FAVILUKIS: Thank you.

3 Q: You mentioned that you were concerned with structural
4 issues in the building, correct?

5 A: At this point, yes.

6 Q: But not before?

7 A: Not before what?

8 Q: Not before November 1st?

9 A: No, I had -- I had concerns about structural issues
10 before November 1st.

11 Q: Did you have concerns about structural issues in the
12 building before the April earthquake?

13 A: No.

14 Q: No. How long have you lived in the building?

15 A: Since 2011.

16 Q: Since 2011. When you moved into the building in 2011,
17 did the building have sloping floors?

18 A: Yes.

19 Q: But the sloping floors did not raise any concerns for
20 you about the structural integrity of the building; is that
21 correct?

22 A: Yes.

23 Q: Have you been in other buildings in Manhattan?

24 A: Yes.

25 MS. JOSEPH: Objection, Your Honor. This is not

1 about other buildings, it's about this building.

2 MR. FAVILUKIS: I -- not -- I just would like to --

3 ALJ STECURA: Keep it limited -- I'm going to
4 overrule the objection, but I want you to keep this line very
5 limited.

6 MR. FAVILUKIS: Sure.

7 Q: Have you been in other buildings in Manhattan that had
8 sloping floors of a 45-degree angle?

9 MS. JOSEPH: Object, Your Honor, there was no
10 testimony about 45-degree angle.

11 ALJ STECURA: Sustained.

12 MR. FAVILUKIS: It's in --

13 ALJ STECURA: Sustained.

14 MR. FAVILUKIS: Okay.

15 Q: Have you been to other buildings in Manhattan that had
16 sloping floors to the extent that this building had in 2011 when
17 you moved in?

18 A: Have I been -- like just walked into a building with a
19 sloping floor, yes.

20 Q: Yes.

21 A: Yes.

22 Q: Okay. All right. You mentioned that there were three
23 tenants who moved out of the building after Mr. Geylik purchased
24 the building, correct?

25 A: Yes.

1 Q: Could you remind me the names of those people?

2 A: One of them was named Yosef, but I don't know his last
3 name. The other person was Thomas Scarlet, and then the third
4 person's name was Cleek.

5 Q: Cleek?

6 A: C-L-E-E-K.

7 Q: Okay. Got it. Do you know what units those people were
8 in?

9 A: I believe Yosef was on the third floor of the building.
10 I -- I don't remember the exact unit off the top of my head
11 because I -- and Thomas Scarlet was in 4B and Cleek was in 4C.

12 Q: Got it. 4B Thomas Scarlet, isn't 4B James Hicks'
13 apartment?

14 A: I believe that he is the tenant on record in that
15 apartment.

16 Q: Do or did -- before Thomas Scarlet moved out, did Thomas
17 Scarlet and James Hicks live in that apartment together?

18 A: I don't know the details -- the -- the full details of
19 their living arrangement.

20 Q: Was there anybody else living in 4B?

21 MS. JOSEPH: Objection, Your Honor. I don't think
22 there was part of direct as far as who specifically lives --

23 ALJ STECURA: Overruled.

24 MS. JOSEPH: Okay.

25 Q: Did you -- was there anybody else living in 4B?

1 A: I don't know. I don't know.

2 Q: Sorry?

3 A: I don't know.

4 Q: Okay. Does -- do you know someone named Bobby Rich?

5 A: I -- I did, yes.

6 Q: Did Bobby Rich live in 4B?

7 A: I don't know.

8 MR. FAVILUKIS: Okay. May I introduce into
9 evidence -- I'm sorry, yes. Sorry. I'd like to mark for
10 identification Respondent's O1 and I'll come up; I'll give
11 you a copy. This is -- these are emails between yourself and
12 Michael Geylik.

13 MS. JOSEPH: Objection, Your Honor. Before -- I'm
14 not sure when to make my objection. I -- I do object to a
15 large part of this exhibit on the -- on the basis that it is
16 not relevant --

17 ALJ STECURA: Okay.

18 MS. JOSEPH: I'm sorry.

19 ALJ STECURA: I will ask you if you -- when the
20 time is right, I will ask you if you object. If that -- the
21 time is not right now. May I have a copy, please?

22 MR. FAVILUKIS: Oh, yes.

23 [OFF MIC CONVERSATION]

24 ALJ STECURA: Thank you. And this is letter O
25 number 1?

1 MR. FAVILUKIS: Yes. Okay.

2 Q: Do you recognize -- did you take a look at -- at what I
3 gave you?

4 A: The first page?

5 Q: Just flip through if you can, I'd like you to let me
6 know if you recognize these emails between yourself and Michael
7 Geylik?

8 A: Yes.

9 Q: These are emails that you sent and -- emails to Michael
10 and emails that Michael sent back to you and you received,
11 correct?

12 A: Seems to be, yes.

13 Q: Yes. Thank you. So I'd like you to flip to page 3, and
14 I will say at the bottom there -- it's page 3 of the exhibit, not
15 counting the cover page. At the bottom it says 2 of 3.

16 MS. JOSEPH: Objection. It's not in evidence,
17 Judge.

18 ALJ STECURA: It's not in evidence.

19 MR. FAVILUKIS: I'm sorry, I'd like to mark this --
20 to enter it into evidence, Your Honor.

21 ALJ STECURA: On what basis? You haven't laid a
22 foundation.

23 MR. FAVILUKIS: We -- we just established that this
24 was -- these are emails between Mr. Geylik and Mr. Hall.
25 This is in reference to the line of questioning regarding who

1 was in the apartment before Mr. Geylik -- excuse me, after
2 Mr. Geylik purchased who vacated those apartments.

3 ALJ STECURA: Can you ask the witness what dates
4 the emails are?

5 MR. FAVILUKIS: Yes. May I refer to the email that
6 I'm asking about and ask him if he can -- you'd like me to
7 ask him all of the dates or?

8 ALJ STECURA: Are you trying to get the whole thing
9 in evidence?

10 MR. FAVILUKIS: I -- not in the moment, Your Honor.
11 I'm specifically referring to one email, which I was going to
12 refer to by date and time.

13 ALJ STECURA: Are you trying to get the entire
14 exhibit into evidence?

15 MR. FAVILUKIS: Yes.

16 ALJ STECURA: Okay.

17 MR. FAVILUKIS: Yes, we will be asking to -- yes,
18 we will be asking to include the entire exhibit into
19 evidence. Right now, I'm simply referring to one of the
20 emails, but yes, Your Honor, we're requesting that the
21 entirety of Exhibit 01 be entered into evidence.

22 ALJ STECURA: Any objection?

23 MS. JOSEPH: Yes, Your Honor. I do have an
24 objection. Other than the first page of this exhibit, the
25 email from March 4th, 2025, all the other emails deal with

1 correspondence with -- regarding to 4B. 4B is not part of
2 this proceeding whatsoever, there are no allegations with
3 regard to the tenant of -- tenant of record or other
4 occupants of 4B. It is not related to anything that the --
5 the -- you know, it's unrelated to any allegation with regard
6 to conditions in this building, and so at a basic of
7 relevancy, and on the basis of possible prejudice to the
8 witness with -- with regard to other communications with the
9 owner that have -- that have no relevance to the allegations
10 in this case, I -- I do not see that it is -- at all should
11 come into evidence other than the first page.

12 ALJ STECURA: I'm going to ask that the witness
13 step out of the room for a second and I'm going to pause the
14 record. So, sir, I'm going to remind you, you're not to
15 speak to anyone about your testimony.

16 [OFF THE RECORD]

17 [ON THE RECORD]

18 ALJ STECURA: Okay. We're back on the record.
19 Regarding Respondent's Exhibit 01, Petitioner has stipulated
20 that page 1 of such exhibit -- has stipulated to it for the
21 purposes of admissibility. It is an email dated March 4th,
22 2025, time 7:17 PM from Mr. Zachary David Hall to Mr. Michael
23 Geylik. For the rest of the exhibit is excluded, and I'm
24 going to invite Ms. Joseph to make a stipulation regarding
25 HPD's allegations on the record now.

[11:42:25]

[01:58:31-1]

1 MS. JOSEPH: Thank you, Your Honor. So, HPD
2 stipulates that the issues of harassment, the allegations in
3 the petition are not based of any occupants or tenant of
4 record of 4 -- of 4B.

5 ALJ STECURA: So there's no allegation that
6 Respondent harassed any tenant of 4B, correct?

7 MS. JOSEPH: Correct.

8 ALJ STECURA: All right. Could you please recall
9 the witness?

10 MS. JOSEPH: Can we just have those pages removed,
11 Your Honor?

12 ALJ STECURA: Counsel, could you remove the other
13 parts of the exhibit. Thank you very much for your patience.

14 MR. FAVILUKIS: And I'll just take you -- all the
15 pages except for the first one.

16 ALJ STECURA: Here. Why don't I switch with him
17 since I have a paper clip. There you go.

18 [OFF MIC CONVERSATION]

19 MS. JOSEPH: I mean, Your Honor, we don't -- our
20 exhibit doesn't look like what is before the witness. We
21 just have this front page and it says 01 on it. I don't know
22 what -- when was that added to it.

23 MR. FAVILUKIS: It's the same exhibit.

24 MS. JOSEPH: Yeah, but I don't have that cover page
25 if that's a cover page.

1 MR. FAVILUKIS: We just put that cover page on
2 there --

3 MS. JOSEPH: No, but I don't have -- you didn't
4 give that to the -- you didn't give that -- you didn't
5 provide this document to us, so I just asked --

6 MR. FAVILUKIS: I just traded it with the judge.

7 MS. JOSEPH: Okay. All right. Can -- can the
8 witness just see what we have which is the first page the --

9 MR. MESTOUSIS: No, you wrote -- you wrote notes
10 all over it.

11 MS. JOSEPH: No, I don't mean what I have
12 physically, what you have provided to us.

13 ALJ STECURA: Okay. Stop. I'm going to pause the
14 record.

15 MS. JOSEPH: Sorry, Judge.

16 [OFF THE RECORD]

17 [ON THE RECORD]

18 ALJ STECURA: We are resuming. So, Counselor, you
19 may inquire.

20 MR. FAVILUKIS: Thank you, Your Honor. Sorry.

21 Q: You mentioned a person named Cleek?

22 A: Cleek.

23 Q: Cleek, and you said, I believe that -- that Cleek lived
24 in unit 4C; is that correct?

25 A: He did.

1 Q: Okay. And you said you moved into the building in 2011,
2 correct?

3 A: Yes.

4 Q: And did Cleek live in 4C the entire time that you lived
5 in the building?

6 A: The majority of the time I lived in the building Cleek -
7 - yes.

8 Q: Okay. And when did Cleek vacate?

9 A: I don't know exactly.

10 Q: Okay. But earlier when you testified in response to Mr.
11 Mestousis' question, who vacated the build -- whether there were
12 tenants who vacated the building after Mr. Geylik bought it, you
13 mentioned Cleek. So when did -- I -- I'm not asking for a date
14 and time, do you know when Mr. Geylik purchased the building?

15 A: Yes.

16 Q: When did Mr. Geylik purchase the building?

17 A: In 2021.

18 Q: Approximately what month, do you know?

19 A: I -- I -- somewhere around May or June or July. I mean,
20 the paperwork --

21 Q: Okay. May or --

22 A: I think the paperwork was, you know, between those three
23 months was -- that's my understanding of it.

24 Q: But in response to my question now, your answer is, and
25 I want to make sure I understand it correctly, somewhere between

1 May or June or July, 2021 is when you believe Mr. Geylik purchased
2 the building?

3 A: Yes.

4 Q: Okay. So when do you think Mr. Cleek vacated the
5 building?

6 A: I believe -- well -- so I -- I don't know that he -- I
7 don't -- I don't know the details of exactly when he left, because
8 I believe Mr. Geylik entered that unit using self-help, so.

9 Q: So that answer doesn't exactly help me understand when
10 you believe or why you believe Mr. Cleek vacated the building
11 after Mr. Geylik purchased it. It -- it -- that answer makes it
12 sound like Mr. --

13 MS. JOSEPH: Objection.

14 ALJ STECURA: Can you ask a question.

15 MR. FAVILUKIS: Yes. Yes.

16 ALJ STECURA: Thank you.

17 Q: So, do you not remember -- do you not know when Mr.
18 Cleek vacated the building?

19 A: It's just that the context of the situation is that
20 Cleek had his belongings in that unit and Michael Geylik hired
21 someone to drill the lock, and then eventually his belongings were
22 disposed off within the following months, so.

23 Q: When was the last time you saw Mr. Cleek?

24 A: I don't know. I -- honestly, it's been a long time.
25 It's been a while.

1 Q: Was it before COVID?

2 A: I may have -- I -- I -- I don't remember. I -- I
3 believe I saw him in passing perhaps at one point.

4 Q: After COVID?

5 A: Yeah.

6 Q: Okay. All right. Have you seen Mr. Cleek since?

7 A: No.

8 Q: No. So the last time you saw Mr. Cleek was sometime
9 before or after COVID, is that correct, and --

10 MS. JOSEPH: Objection. I believe the -- it was
11 asked and answered as far as the timing --

12 MR. FAVILUKIS: The -- the timing has actually not
13 been answered at all.

14 ALJ STECURA: Sustained.

15 MR. FAVILUKIS: Okay.

16 Q: All right. Let's move on from Mr. Cleek. Did you ever
17 suggest to Mr. Geylik that you could help him sell the building?

18 A: Mr. Geylik mentioned to me that he would consider
19 selling the building, that it would -- it would be something he
20 would be open-minded to.

21 Q: Did Mr. Geylik come to you and ask you for help in
22 selling the building?

23 A: He was asking for help from me and Thomas Ducklith
24 around August when the DOB violations were to help assess the
25 situation and expressing his confusion on how to -- to deal with

1 it.

2 Q: Sorry. Was he asking you to help him -- was he asking
3 you and Mr. Ducklith to help you sell the building?

4 A: No.

5 Q: Okay. Did he ever ask you to help him sell the
6 building?

7 A: He mentioned to me that he would be interested in
8 selling the building.

9 Q: Okay.

10 A: That potentially --

11 Q: But again, it's a -- it's a yes or no.

12 MS. JOSEPH: Ob -- objection. The witness was
13 still speaking, if he can finish his answer.

14 A: He -- Mr. Geylik has mentioned on a -- on several
15 occasions being open-minded to selling the building.

16 Q: Mr. Geylik mentioning being open-minded to selling the
17 building came because he asked you to help him sell the building
18 or because you were speaking to him about selling the building?

19 A: You know, I -- can you rephrase the question?

20 MR. FAVILUKIS: No, I -- I don't know how, I think
21 I'm being -- being clear.

22 ALJ STECURA: He doesn't know how to answer --

23 MR. FAVILUKIS: Sure.

24 ALJ STECURA: I don't understand --

25 MR. FAVILUKIS: I've asked like three times.

1 ALJ STECURA: I don't understand your question.

2 Q: My question is, did Michael Geylik ask you to help him
3 sell the building?

4 MS. JOSEPH: Objection; asked and answered.

5 ALJ STECURA: Sustained.

6 MR. FAVILUKIS: Okay.

7 Q: Let's move to what you have in front of you, okay, the
8 first page of Exhibit 01, there. And do you recognize that email?

9 A: Yes.

10 Q: And is it an email from you to Michael Geylik?

11 A: Yes.

12 Q: In March 4th, 2025, correct?

13 A: Yes.

14 Q: Okay. And in this email you say, this is me restating
15 what you're saying, and I will have a question after this. "Hi
16 Mike. You mentioned last year that you are open to potentially
17 selling the building. Is this still something you are open to
18 considering both last year and also in 2020" --

19 MS. JOSEPH: Objection, your Honor. I mean, it
20 speaks for itself.

21 ALJ STECURA: Overruled.

22 Q: "I discussed the situation at 109 East 9th Street with a
23 high-profile real estate attorney." My question, who was that
24 high-profile real estate attorney that you discussed se -- Michael
25 selling the -- about Michael selling the building with?

1 A: Adam Lightman Bailey.

2 Q: Adam Lightman Bailey. Okay. And are you familiar with
3 Adam Lightman Bailey? What's your --

4 ALJ STECURA: Well, hold on, there's a question
5 pending.

6 MR. FAVILUKIS: Sure. Sure, sure. Sorry.

7 ALJ STECURA: Did you answer the question?

8 A: I -- yeah, I had a discussion with him.

9 Q: How did you come to learn of Adam Lightman Bailey?

10 A: Google.

11 Q: Google. When you googled Adam Lightman Bailey, did you
12 see anything about him being sanctioned by the court in New York?

13 A: I -- I don't know.

14 Q: Okay. Yeah, that's okay. And you had conversations
15 with Adam Lightman Bailey about the building according to this --
16 according to your testimony, and then you say in this email, "He
17 gave me some advice and also expressed interest in helping
18 negotiate a sale of the building between you and a large
19 developer." Can you tell me what the advice was that Adam
20 Lightman Bailey gave you?

21 A: Yeah, he -- he offered to represent both myself and Mr.
22 Geylik and the other tenants in the building with potentially
23 negotiating a sale of the building to a developer as I wrote it,
24 yeah.

25 Q: Did Adam Lightman Bailey discuss buyouts with you?

1 A: Yeah, that was a topic.

2 Q: Okay. Did he give you any advice about buyouts?

3 A: A little bit, yeah.

4 Q: Okay. What was that advice?

5 MS. JOSEPH: Objection, Your Honor. If there's any
6 conversation other than generic tone of the conversation,
7 specific words, I don't think -- I don't believe that the
8 witness is -- I believe that those conversation would be
9 privileged.

10 Q: Are you represented by Adam Lightman Bailey?

11 A: No.

12 ALJ STECURA: Overruled.

13 Q: What was the advice he gave you about buyouts?

14 A: His advice was for me, if -- if I wanted to pursue a
15 buyout, that I ought to do it by myself without his assistance
16 initially. But if there was going to be a negotiation between
17 multiple parties, that he could assist everyone.

18 Q: Did he mention to you that before retaining him, you
19 could help yourself by calling the DOB and reporting violations
20 for the building?

21 A: No.

22 MS. JOSEPH: Objection, Your Honor.

23 MR. FAVILUKIS: He just answered the question. I'm
24 just asking questions.

25 ALJ STECURA: Go on.

1 MR. FAVILUKIS: Okay.

2 Q: So the last sentence here before you sign off and say,
3 "Let me know if you have any questions. Best, Zachary Hall.", the
4 last sentence in the third paragraph, it says, "I figured it might
5 be a decent option to consider now before more gigantic amounts of
6 time and money are committed to construction and repairs." Did
7 Michael Geylik tell you how much money and time he had spent on
8 construction and repairs?

9 A: Not exactly, but he expressed that there was a lot of
10 time and money being put into this situation.

11 Q: Did you ever ask Michael Geylik for money in exchange
12 for vacating your apartment?

13 A: No.

14 Q: Did you ever ask or suggest to Mr. Geylik that you would
15 be willing to vacate the apartment in exchange for any
16 consideration?

17 MS. JOSEPH: Ob -- objection, Your Honor. It was
18 asked and answered.

19 MR. FAVILUKIS: I said money.

20 ALJ STECURA: Go ahead. Overruled.

21 A: Can you re -- can you repeat the question?

22 Q: Did you ever ask or suggest to Michael Geylik that you
23 would be willing to accept any consideration in exchange for
24 vacating your apartment?

25 A: I don't recall. No.

[02:11:59-1]

1 Q: Okay. And again, you -- oh, sorry, not again. I
2 apologize. You only spoke to Mr. Lightman Bailey once, correct?

3 A: Twice.

4 Q: Twice. Do you remember those dates approximately when
5 you spoke to Mr. Bailey?

6 A: I know I spoke to him around the time that Michael
7 Geylik bought the building in 2021, and I spoke to him a second
8 time in 20 -- near the end of 2024 when all of the Department of
9 Buildings situations were playing out.

10 Q: Did you ever forward to anyone in Mr. Bailey's office
11 the video or either of the videos that we watched earlier today?

12 A: No.

13 Q: Okay. Okay. You mentioned, I believe, and I don't
14 think I'm putting words into your mouth, I -- I wrote this word
15 down, you didn't think that Mr. Geylik was trustworthy. Do you
16 remember saying that in response to one of the questions earlier?

17 A: Yeah, my trust in Michael Geylik has been compromised in
18 multiple moments since he's purchased the building.

19 Q: Okay. But that trust initially was not compromised, is
20 that what I'm hearing you say, when he first purchased the
21 building your trust in him was not compromised?

22 A: I -- I think I've had varying degrees of distrust in
23 Michael Geylik through -- since he's purchased the building.

24 Q: But today you don't consider Mr. Geylik trustworthy, is
25 that correct? It's the word you used earlier.

1 A: Yeah, my -- my -- my trust in Michael Geylik is
2 compromised.

3 Q: Okay. Have you ever had conversations with Mr. Geylik
4 about your relations with other tenants in the building?

5 MS. JOSEPH: Objection, Your Honor. There's
6 nothing in this -- in -- in -- in -- in -- in the allegations
7 about relations with other tenants. This is about the tenant
8 himself and the correspondence with Michael Geylik on any
9 action between Mike -- the owner, agents of the owner and the
10 tenants.

11 ALJ STECURA: And it didn't come up in direct
12 examination.

13 MR. FAVILUKIS: This --

14 MS. JOSEPH: No, it did not come.

15 MR. FAVILUKIS: This re -- this -- this relates to
16 the issue of trustworthiness and why we believe Mr. Hall
17 testified that he doesn't find Mr. Geylik trustworthy.

18 MS. JOSEPH: No.

19 ALJ STECURA: Sustained.

20 MS. JOSEPH: He can't ask the question.

21 MR. FAVILUKIS: Okay.

22 Q: Do you know all the tenants in the building, Mr. Hall?

23 A: To varying degrees.

24 Q: Okay. Did you know Mr. Cleek well?

25 A: Not very well, no.

1 Q: Okay. Do you know Mr. Ducklith well?

2 A: Reasonably well.

3 Q: Reasonably well. And Mr. Hicks?

4 A: Not very well.

5 Q: Okay. Mr. Scarlet, did you know him well?

6 A: No.

7 Q: Okay. Did your brother used to live in this building?

8 A: Yes.

9 Q: Yes. Is your brother Dustin Hall?

10 A: Yes.

11 Q: Did he live in your unit before you moved into it?

12 A: Me and my brother between 2013 and '15 shared both my
13 unit and unit 4B.

14 Q: 4B, that's James Hicks' unit?

15 A: Yes.

16 Q: So you and your brother used or lived in unit 4B at some
17 point -- I'm sorry, could you repeat what timeframe?

18 A: Yeah, about 12 years ago, between 2013 and 2015.

19 Q: Did your brother and you live together with Mr. Hicks in
20 that apartment?

21 A: My brother stayed in that room.

22 Q: With -- together with Mr. Hicks?

23 A: I don't know the ex -- extent of -- I'm sorry. My
24 brother stayed in that room.

25 MS. JOSEPH: Okay. I would just --

1 MR. FAVILUKIS: I'm sorry -- yeah.

2 ALJ STECURA: Hold on, hold on. There's --

3 MS. JOSEPH: I would just object again to questions
4 about 4B because it was stipulated that -- that the
5 allegations do not concern 4B, and I believe the witness
6 testified it was his brother that lived in 4B.

7 MR. FAVILUKIS: I'm simply -- I was asking about
8 the brother. I had no idea that he lived in 4B.

9 MS. JOSEPH: Well, you can --

10 MR. FAVILUKIS: I was asking about 4B --

11 ALJ STECURA: All right. Thank you. All right.
12 Proceed.

13 Q: When your brother lived in the building, did he have a
14 lawsuit with the owner and the managing agent for the building,
15 the bar?

16 MS. JOSEPH: Objection, Your Honor. It's not
17 relevant to any of the direct --

18 ALJ STECURA: Sustained.

19 MR. FAVILUKIS: Okay.

20 Q: When did your brother vacate?

21 A: In 2015.

22 Q: Did the prior owner pay your brother to move out?

23 MS. JOSEPH: Objection, Your Honor. Again, if it
24 relates to --

25 ALJ STECURA: Sustained.

1 MR. FAVILUKIS: Okay.

2 Q: Since Michael Geylik purchased the building, has -- has
3 the police been involved with you in the building in any way?

4 MS. JOSEPH: Objection, Your Honor. There's no
5 allegation whatsoever about any acts of police or any
6 criminal acts with regard to any of the tenants -- with
7 regard to Mr. Zach -- Zachary Hall.

8 MR. FAVILUKIS: I'm simply asking if the police
9 have been involved with Mr. Hall in the building.

10 ALJ STECURA: Would you mind stepping out for a
11 moment, please, again?

12 [OFF THE RECORD]

13 [ON THE RECORD]

14 ALJ STECURA: Thank you again for your patience.
15 Okay. I'll remind you, you're still under oath and you may
16 resume your questioning, sir.

17 Q: I want to return to this email that you sent to Mr.
18 Geylik on March 4th. In this arrangement that you propose, would
19 you have profited in some way?

20 A: I believe that what Adam Lightman Bailey's goal was to
21 make it mutually beneficial for everybody rather than tenants
22 being in opposition with Michael Geylik in any form. Yeah. That
23 -- that he would represent all parties.

24 Q: Sure. And how would you have benefited from it
25 personally?

1 A: Well, I -- I don't feel that this situation would be
2 beneficial at all. I just want to keep my home, but if I'm going
3 to lose my home, I don't want to -- I, you know, I don't want to
4 lose my home with nothing in return, but I -- I would rather keep
5 my place, my home.

6 Q: So -- so when you initial -- you testified that you
7 initially spoke to Adam Lightman Bailey when Mr. Geylik purchased
8 the building, what made you think that you were going to lose your
9 home then?

10 A: Because -- well, one of -- one of the contributing
11 factors was that for a full calendar year Michael Geylik refused
12 to deposit any of my rent checks, and he said that he would have
13 to consult with his lawyers in order to accept a rent from me.
14 And that was a red flag for me that there was something strange
15 going on.

16 Q: But you said you spoke to Adam Lightman Bailey before
17 that?

18 A: I honestly don't remember at what date in 2021 I spoke
19 to Adam Lightman Bailey exactly. That was several years ago, but
20 --

21 Q: Sure, you just said that the -- one of the reasons that
22 you thought you were going to lose your home, the red flag for you
23 was because Mr. Geylik refused to accept or deposit your rent
24 checks for a year, and earlier you testified that you first spoke
25 to Adam Lightman Bailey when Michael -- Michael Geylik purchased

1 the building. Are you now not sure when you initially spoke to
2 Mr. Geylik and it could have been a year -- excuse me, Mr. Bailey,
3 and that your initial communication with him could have been a
4 year after Mr. Geylik purchased the building?

5 A: I -- I remember speaking to Adam Lightman Bailey in
6 2021.

7 Q: Okay. And again, you said that you spoke to him because
8 you thought it would be mutually beneficial, right, because if you
9 were going to lose your home, you wanted to benefit from it?

10 MS. JOSEPH: Objection, Your Honor. Can Counsel --
11 just the two times that the witness had specified he spoke
12 to, there's once in 2021 and there's once later on more
13 related to -- I'm sorry, 2025. I just want Counsel to --

14 ALJ STECURA: 2024.

15 MS. JOSEPH: 5. Yeah, I'm --

16 ALJ STECURA: You can --

17 MS. JOSEPH: I just want Counsel --

18 ALJ STECURA: You'll have the ability to redirect.

19 MS. JOSEPH: Right. I just want Counsel to say
20 which time he's referring to, that's all.

21 ALJ STECURA: There is no question pending.

22 Q: What made you think that you were going to lose your
23 home when you initially contacted Mr. Bailey in 2021?

24 A: Well, I wasn't sure what to expect. I wasn't sure what
25 to expect in general.

1 Q: From whom?

2 A: From what was then the new property owner.

3 Q: So to clarify, it wasn't that you thought you were going
4 to lose your home, it was -- you contacted Mr. Bailey because you
5 weren't sure what to expect from your new landlord; is that
6 correct?

7 A: Yeah.

8 Q: Okay. Okay. And did you explain to Michael that mutual
9 benefit that Mr. Bailey suggested to you?

10 A: I -- I mean, everything -- everything in reference to
11 this conversation is in this email and -- and Mr. Geylik never
12 responded. So that's the extent of it.

13 Q: Sorry. This email is from March 4th, 2025. Are you
14 saying that between 2021 when you initially contacted Mr. Bailey
15 and spoke to him about this mutual benefit scenario?

16 A: No, that -- I'm sorry. That was a separate
17 conversation, a separate con -- a different context.

18 Q: What was the separate conversation?

19 A: So when I spoke to Adam Lightman Bailey in 2021, you
20 know, none of the context of that we're currently going through in
21 our building was present. It was an entirely different context,
22 and there was just, you know, I just didn't know what to do, yeah.

23 Q: So did Mr. Bailey not suggest to you at that initial
24 conversation that there could be a mutual benefit and that he
25 could represent you and the owner of the building together?

1 A: No. No, that con --

2 Q: Not in that initial conversation?

3 A: No, not -- not initial conversation.

4 Q: It was, you said you had two conversations with him?

5 A: Yes.

6 Q: So it was in the second conversation that Mr. Bailey,
7 correct?

8 A: Yes.

9 Q: It -- he implied this to you, and, sorry, you said, when
10 was that second conversation approximately?

11 A: It was in 2024 and -- yeah.

12 Q: Okay. And so after that second conversation, right, you
13 did not raise the mutual benefit scenario to Mr. Geylik until this
14 March 4th, 2025 email?

15 A: Yes.

16 Q: Did -- so, yes, you did not?

17 A: No, I didn't -- I didn't. This was the first time I
18 mentioned --

19 Q: This was the first time?

20 A: Yes.

21 Q: Got it. And in your understanding, the mutual benefit
22 scenario that Mr. Bailey was suggesting, would that apply to other
23 tenants as well?

24 A: Seemingly, it would be -- he -- he offered to negotiate
25 with all interested parties.

1 Q: Were you ever on a call with Mr. Bailey and any other
2 tenants together?

3 A: No.

4 Q: No. Just yourself?

5 A: Yes.

6 Q: Did you report to any other tenants your conversation
7 with Mr. Bailey?

8 A: Yes.

9 Q: To whom did you report it?

10 A: I be -- I mean, seemingly everybody. Yeah.

11 Q: Who -- who's everybody, there's only six, I think, and
12 you said you didn't know some of them very well, so who -- who did
13 you tell?

14 A: Well, okay, I'm sorry. Let me rephrase. Yeah, I did
15 mention this as a potential opportunity to, I believe Thomas and I
16 be -- you know, I -- I'm -- I'm -- I -- I don't want to misspeak
17 because I -- I don't -- I -- it's hard for me to remember the
18 exact details of how that got discussed.

19 Q: So initially when I asked you who did you report it to,
20 you said everybody, but then when I asked you to name the people
21 you said just Thomas. So was it just Thomas and no one else?

22 A: No, it wasn't just Thomas. I believe -- I believe
23 myself, Thomas, Judy, Patterson, and Remy, and per -- and perhaps
24 James, are all aware of -- of this as a potential.

25 Q: So -- sorry. I'm asking you, to whom did you report

[12:13:25]
[02:29:30-1]

1 your conversation with Mr. Bailey, and you said to Thomas, and
2 then you listed off several other names, but at the end, it wasn't
3 clear to me whether you meant you told them. Did you tell Judy
4 about your conversation with Mr. Bailey?

5 MS. JOSEPH: Objection, I believe it was asked and
6 answered.

7 ALJ STECURA: Overruled. Overruled.

8 A: I mentioned this during attendance association meeting,
9 and it was generally speaking, not, you know, pursued. Yeah.

10 Q: So there was attendance association meeting with
11 multiple people present, and so you mentioned it at that meeting
12 and -- got it. So that's why you said you mentioned it to
13 everybody, meaning that everybody was present at the meeting, but
14 you're not sure 100 percent who may have been there, is that -- am
15 I understanding correctly?

16 A: No, I -- I -- I know who was there.

17 Q: Okay. So you -- so Judy was there?

18 A: No, she was -- she was listening through a Zoom
19 conference.

20 Q: So Judy was virtually present for the meeting?

21 A: Yes.

22 Q: And Thomas?

23 A: Yes, he was in -- he was present in the room.

24 Q: And Patterson -- and when you say Patterson, is that
25 Patters -- Shiraz Patterson Beckwith?

1 A: Yes.

2 Q: Patterson was there?

3 A: Yes.

4 Q: And Remy. And Remy is Remy Schlopick (phonetic)?

5 A: In -- actually, I'm -- I'm not sure that Remy was there.

6 Q: Okay.

7 A: On second thought.

8 Q: Okay. And James Hicks was there?

9 A: No.

10 Q: James Hicks was not there?

11 A: No.

12 Q: Okay. So Judy, Thomas and Patterson were there, you
13 were there, you're not sure if any of the other tenants were
14 there?

15 A: Those were the people I remember being present for this
16 conversation.

17 Q: Okay. Thank you. And you -- and I assume, and please
18 correct me if I'm wrong, your attendances advocate was there, Anna
19 Baker Hints?

20 A: Yeah.

21 Q: And the attorney representing the tenant's association,
22 Jenny Hutchson (phonetic)?

23 A: Yes.

24 Q: Okay. And did they discuss, and I'm not asking you the
25 content of what was said, but did they discuss what you mentioned

1 -- with you what you mentioned about contacting or having
2 conversations with Mr. Bailey?

3 MS. JOSEPH: Objection, Your Honor. Now we are
4 going into his representative -- rep -- his attorney who's
5 representing him. I mean, I can understand maybe with the
6 tenant advocate who was present in that meeting, but not with
7 regard to his attorney. I don't see that any conversations
8 he had with his attorney with regard to this issue should be
9 discussed here. He dis -- he -- he -- he -- he explained
10 about the other tenants that were there.

11 MR. FAVILUKIS: I -- I was very careful to -- to --
12 to make clear, I'm not asking about the content. I'm simply
13 asking if you discussed with them if it -- yes or no, if you
14 discussed with your attorney and the tenant representative,
15 the fact that you had had these previous conversations with
16 Mr. Bailey about a buyout?

17 ALJ STECURA: I'm going to sustain the objection.

18 MR. FAVILUKIS: Okay. I understand. Can I ask
19 whether --

20 Q: I'm sorry, you already answered, that the attorney was
21 there and the tenant advocate were there for this meeting?

22 A: Yes.

23 ALJ STECURA: You've already --

24 MR. FAVILUKIS: Yes. Yes.

25 ALJ STECURA: Those have already been asked.

1 MR. FAVILUKIS: Yes. Got it. Okay.

2 Q: And when -- when did this meeting happen?

3 A: I -- I don't know the -- I don't remember the date
4 exactly.

5 Q: Do you remember if it happened before or after November
6 1st?

7 A: After.

8 Q: After November 1st?

9 A: Yes.

10 Q: Got it. Okay. And since November 1st, you've not had
11 any conversations with Mr. Bailey?

12 MS. JOSEPH: Objection, asked and answered. We
13 went to the two conversations.

14 MR. FAVILUKIS: You said -- he said 2024.

15 ALJ STECURA: Overruled. You may answer.

16 A: I had two sum total conversations with Mr. Bailey. One
17 of them was in the fall of 2024, and one of them was in 2021.

18 Q: Okay. I'm going to ask you a question, and you should
19 feel free to expand on your answer however you like. Do you think
20 that you've ever harassed Mr. Geylik?

21 A: No.

22 Q: No. And what's your definition of harassment?

23 MS. JOSEPH: Objection, Your Honor. I mean --

24 ALJ STECURA: Sustained.

25 MR. FAVILUKIS: I have nothing further, Your Honor.

1 ALJ STECURA: Would you like to redirect?

2 MS. JOSEPH: Yes, Judge. May we have a few
3 minutes, like five to 10 minutes?

4 ALJ STECURA: How about five?

5 MS. JOSEPH: Five, sounds good. Thank you, Judge.

6 ALJ STECURA: All right, I'm going to pause the
7 record, it's 12:18.

8 [OFF THE RECORD]

9 [ON THE RECORD]

10 ALJ STECURA: It's 12:29. We're back on the
11 record, and Petitioner is going to ask some redirect
12 questions of the witness.

13 MR. MESTOUSIS: Yes, Your Honor.

14 **REDIRECT EXAMINATION OF MR. HALL**

15 **BY MR. MESTOUSIS:**

16 Q: Mr. Hall, in that email, Respondent's 01, you mentioned
17 that while you're writing email and you're saying that Mr. Geylik
18 is open to potentially selling the building, can you just explain
19 that conversation you had with him and when it was also?

20 A: Yeah, Mr. Geylik mentioned being open-minded to selling
21 the building in Aug -- I believe it was August, 2024 when the
22 first DOB violations came through.

23 Q: Okay.

24 A: And he -- he also mentioned it prior to that, I believe
25 that -- I believe that summer also being open-minded to

1 potentially selling the building.

2 Q: Okay. And in that email, you also mentioned gigantic
3 amounts of time and money that are committed to construction and
4 repairs. Where did you get that information from?

5 A: From Mr. -- Mr. Geylik mentioned that considerable
6 amounts of money were being put into this situation.

7 Q: Okay. Was that at the same time that you had the
8 conversation with him last year about selling the building?

9 A: Yeah, in -- in August of last year.

10 Q: So what situation are you referring to exactly?

11 A: The -- when the DOB violation came in and the temporary
12 shoring was put up along with what seemed to be hiring an engineer
13 and such.

14 Q: So why were you so concerned about Mr. Geylik selling
15 the building, like what was your -- what was your fear about this
16 or --

17 A: Well, you know, I mean, through -- through this -- the
18 course of everything, our -- we, you know, there was an order to
19 vacate potentially happening at any given moment, and also all
20 this demolition, which further seemingly, you know, weakened the
21 building or, you know, all of it has been very concerning for me.
22 And -- and I -- yeah. And, you know, even just the day when it
23 was happening, I was having a hard time breathing and yeah, I
24 mean, there's a wide variety of things that have been concerning
25 me.

1 Q: So what was your goal with respect to this email?

2 A: Well, I just wanted to see, you know, whether -- whether
3 that would be an option that could be, you know, considered
4 because having legal counsel that represents both the tenants and
5 Michael Geylik, I think would be better for all parties and, you
6 know, more copacetic for everybody. That was my initial thought,
7 but, I -- I, you know --

8 Q: So with this email, were you only trying to resolve
9 issues for yourself or for the entire -- all the tenancy?

10 A: No, for all -- for everybody, I mean, including Mr.
11 Geylik who -- who said to me, he was like, I might have to sell
12 the building, you know, he mentioned a wide, you know -- a variety
13 of different potential things he'd have to do. Yeah.

14 MR. MESTOUSIS: Just a minute, Your Honor.

15 Q: So what was your concern with having to vacate the
16 building, and how did you feel that this email would help?

17 A: Well, my concern with vacating the building was due to,
18 you know, what may have been various different orders to vacate
19 at, you know, through different points since August with the
20 Department of Buildings doing inspections, and I thought that
21 maybe this email would be a way for me not to just lose my home,
22 or all of us tenants to not just lose our homes with -- with
23 getting nothing in return, and that it would, you know, as -- as
24 Adam Lightman Bailey explained it to me, that he'd be able to
25 like, help all of the people involved in this situation if he were

1 to represent us, and so I wanted to see if anyone else was
2 interested in this, but Michael Geylik never replied, and the
3 other tenants mentioned they had their doubts and, you know, they
4 didn't necessarily want to pursue it either, so I just wanted to
5 figure out some kind of option for everybody to -- yeah.

6 MS. MESTOUSIS: Okay. That's it, Your Honor.

7 ALJ STECURA: Thank you. Your testimony has now
8 concluded, you may be excused.

9 MR. HALL: Thank you, Your Honor.

10 [WITNESS EXCUSED]

11 ALJ STECURA: I'm going to pause the record now.

12 MS. JOSEPH: Thank you. Thanks.

13 [OFF RECORD]

14 [ON RECORD]

15 ALJ STECURA: All right. So it is 12:36. We are
16 going to discuss some administrative business off the record
17 and then take a lunch break and we will resume testimony and
18 presentation of witnesses at 2:00 PM.

19 MS. JOSEPH: Thank you, Judge.

20 [OFF THE RECORD] [END OF PART 1 OF 3]

21 [ON THE RECORD] [START OF PART 2 OF 3]

22 ALJ STECURA: Okay. We are back on the record at
23 12:47. We had some off record discussions regarding
24 admissibility of evidence and we're going to put that on the
25 record now. So my understanding is that

1 Respondents are stipulating to the admissibility of
2 Petitioner's Exhibit 20 as a business record and not for the
3 truth of the contents of the document and so Petitioner's
4 Exhibit 20 is now in evidence.

5 **[Petitioner's Exhibit 20 admitted into evidence.]**

6 ALJ STECURA: Counsel, could you just read what
7 Exhibit 20 is?

8 MS. JOSEPH: Yes. Exhibit 20, Your Honor, is a
9 letter and exhibits and documentation and pictures received
10 from -- yeah, received from Take Wood Justice, signed by Ms.
11 Jenny Action with relation to issues in the building. It was
12 received at HPD and it was --

13 ALJ STECURA: Okay. That's --

14 MS. JOSEPH: Yeah. Okay, fine.

15 ALJ STECURA: -- that's good. Thank you.

16 MS. JOSEPH: Sure.

17 ALJ STECURA: All right. And also, with regards to
18 Petitioner's Exhibit 27B, this was already stipulated to and
19 is in evidence, however, Petitioners amended the exhibit and
20 Respondent's counsel has stipulated to its admissibility,
21 correct?

22 MR. FAVILUKIS: Correct, Your Honor.

23 ALJ STECURA: All right.

24 MR. MESTOUSIS: Yes. Just the note for the record,
25 the last two pages are just zoom-ins of what was --

1 MS. JOSEPH: Enlargements.

2 MR. MESTOUSIS: -- already there. Enlargements of
3 what was already there.

4 ALJ STECURA: Okay. Please don't speak over one
5 another, it just makes the record really muddy. All right.
6 In addition to that, I have asked Counsel for Petitioners to
7 look at Petitioners Exhibit 14A and compare it to the record
8 and just ensure that what is in evidence is what was shown to
9 the witness and the witness was not shown something that is
10 not currently in evidence. Moving on to Respondent's
11 exhibits. Petitioner has reviewed and has stipulated for
12 purposes of admissibility Respondent's Exhibit C, D2, D3, D4,
13 G4 -- G5, excuse me, G6, G7, G8, G9, as well as Exhibit F6.
14 So I am going -- I'm admitting those into evidence and now
15 I'm going to ask that Counsel, please read what those are
16 into the record.

17 **[Respondent's Exhibit C, D2, D3, D4, G5, G6, G7,**
18 **G8, G9, and F6 admitted into evidence.]**

19 MR. FAVILUKIS: Thank you, Your Honor. Exhibit C
20 is the Department of Buildings violations for structural
21 issues; control numbers 341657 and 341658. Exhibit D2 is the
22 Respondent's engineer's letter to the Department of Buildings
23 dated September 20th, 2024. D3 is Respondent engineer's
24 letter to the Department of Buildings on November 11th, 2024.
25 D4 is Respondent engineer's letter to the Department of

1 Buildings dated November 24th, 2024. Exhibit F6, F as in
2 Frank 6 is Respondent's Architect's letter to the Department
3 of Buildings of Manhattan Borough Commissioner. G4 is the
4 Department of Buildings building information system, B-I-S,
5 BIS system screenshot for -- of the violation details page
6 for Department of Buildings violation summons number
7 39131083H. G4 is the BIS system screen -- or excuse me, is a
8 screenshot from the BIS system for the violation details for
9 the Department of Buildings summonses issued between 1994 and
10 1999, three of which have been stipulated to by Petitioner.
11 The remaining have not been stipulated to. Should I -- the -
12 - the -- the three that have been stipulated to end in 38J,
13 37H and 61J. G5 is the Department of Buildings permit for
14 job number M as in Mary, 08040576-I1-LA in connection with
15 the correction for summons number 34206761J. G6 is the
16 Department of Buildings permit job number M as in Mary,
17 08016403-I1-GC, issued in connection with the correction of
18 two Department of Buildings summonses numbers 34205637H and
19 34206761J. G7 is the BIS screenshot printout for the
20 violation details for Department of Building summons number
21 39142176K. G8 is the BIS printout for the violation details
22 for Department of Buildings summons number 39142177K and G9
23 is a Department of Building's withdrawal of prosecution
24 disposition for the two summonses that I just mentioned.

25 ALJ STECURA: All right. Thank you. And with

1 that, we will break to lunch, 12:50, and I'll see you all
2 back at 2 O'clock.

3 MR. FAVILUKIS: Thank you, Your Honor.

4 MR. MESTOUSIS: Thank you.

5 MS. JOSEPH: Thank you.

6 ALJ STECURA: Thank you.

7 [OFF THE RECORD] [END OF PART 2 OF 3]

8 [ON THE RECORD] [START OF PART 3 OF 3]

9 ALJ STECURA: Okay. It's now 2:02 PM on Ma -- May
10 22nd, and Petitioner is still continuing its case. Would you
11 like to call another witness, Petitioner?

12 MS. JOSEPH: Yes.

13 ALJ STECURA: Who are you calling?

14 MS. JOSEPH: I'm calling Patterson Beckwith, Your
15 Honor.

16 [OFF MIC CONVERSATION]

17 ALJ STECURA: Okay. You can disregard those paper

18 --

19 MR. MESTOUSIS: Okay.

20 MS. JOSEPH: We can take them back. Should I just
21 take them back quickly?

22 ALJ STECURA: Yes, please.

23 MS. JOSEPH: Okay.

24 ALJ STECURA: Thank you. Okay. So I'm -- good
25 afternoon.

1 MR. SHIRAS PATTERSON BECKWITH: Hi.

2 ALJ STECURA: Hi. I'm going to swear you in, so if
3 you could raise your right hand. Do you swear or affirm that
4 the testimony you are about to give will be the truth?

5 MR. BECKWITH: I do.

6 [WHEREUPON THE WITNESS, S H I R A S P A T T E R S
7 O N B E C K W I T H, WAS DULY SWORN IN]

8 ALJ STECURA: Okay. You may lower your hand. You
9 can speak into the microphone's --

10 MR. BECKWITH: Okay.

11 ALJ STECURA: -- direction. So could you please
12 state and spell your name for the record?

13 MR. BECKWITH: Sure. Shiras Patterson Beckwith.
14 S-H-I-R-A-S P-A-T-T-E-R-S-O-N B-E-C-K-W-I-T-H.

15 ALJ STECURA: Thank you. So I'm going to give you
16 some instructions. This is being recorded, so all of your
17 responses must be verbal. Any gestures will not be picked up
18 by the transcript. Please speak clearly. Please wait until
19 the question has finished before you answer. If there's an
20 objection, please wait until I rule on the objection before
21 you answer. If there's a question you did not understand or
22 you did not hear, let us know. The question can be rephrased
23 or repeated. If you can't see an exhibit, let us know. If
24 you need to take a break, let us know or if you need water.
25 Do you understand?

1 MR. BECKWITH: Yes.

2 ALJ STECURA: All right. Thank you. You may
3 proceed.

4 MS. JOSEPH: Okay. Thank you, Your Honor.

5 **DIRECT EXAMINATION OF MR. BECKWITH**

6 **BY MS. JOSEPH:**

7 Q: Mr. Beckwith where do you live?

8 A: 109 East 9th Street.

9 ALJ STECURA: Okay. Maybe not so close.

10 MR. BECKWITH: Oh, okay.

11 ALJ STECURA: Thank you.

12 MR. BECKWITH: Is that better?

13 ALJ STECURA: That's perfect, thank you.

14 A: 1 -- 109 East 9th Street.

15 Q: And how long have you lived there?

16 A: 32 years. Since 1992.

17 Q: Okay. Now, as far as the building, what is located on
18 the street level, which I refer to as the 1st floor? So what is
19 on the 1st floor of your building?

20 A: The -- it is a commercial space; that's the offices of
21 MGNY now.

22 Q: Okay. And what is located on the 2nd floor?

23 A: The vacant units. One, what I would call a water
24 closet, like a room with a toilet in it. One com -- which is a
25 communal toilet, and one communal shower.

1 Q: And any -- any occupied unit on the 2nd floor, as far as
2 you know?

3 A: No, no.

4 Q: Okay.

5 A: Those are -- those are not -- aren't unoccupied.

6 Q: And who occupies several units on the 3rd floor?

7 A: So that's me, I'm in apartment 2E, and then my neighbor
8 Remy.

9 Q: And, as far as you know, who occupies units on the 4th
10 floor?

11 A: Thomas and Judy. Judy is on the 4th floor. Right.
12 Judy's right above me.

13 Q: Okay. And who occupies unit on the 5th floor, as far as
14 you know?

15 A: Zach.

16 Q: Okay. So unit 2E -- your unit is 2E but it's located on
17 the 3rd floor?

18 A: Yes.

19 Q: Okay. Now, Mr. Beckwith, where do you work?

20 A: At the City College of New York.

21 Q: And what do you do at the City College of New York?

22 A: I run the photography program there.

23 Q: How long have you worked at the City College of New
24 York?

25 A: Since fall of 2008, this is 17 years.

1 Q: And what, if anything, do you teach?

2 A: Photography.

3 Q: Okay.

4 A: I work with graduate and undergraduate students.

5 Q: Thank you. Now as far as your room, 2E, what do you
6 have in your room in terms of a shower or bath?

7 A: I do not have a shower or bath in my room.

8 Q: What do you have in your room in terms of a kitchen?

9 A: I do not have a kitchen in my room.

10 Q: What do you have in your room in terms of a toilet?

11 A: I do not have a toilet in my room, no.

12 Q: Do you have a sink in your room?

13 A: There is a sink.

14 Q: How old is that sink, approximately, as far as you could
15 tell?

16 A: I think it's as old as the building. It -- it -- it's
17 an old sink, old cast iron.

18 Q: When you moved into your unit, 1992, was the sink in
19 your room?

20 A: Yes.

21 Q: Okay. Now, currently, what shared facility on -- in
22 your building on the -- on the 5th floor?

23 A: Toilet.

24 Q: And what -- what shared facilities are on the 2nd floor?

25 A: On my floor? No, on --

1 Q: Second floor.

2 A: -- on the second residential floor. That is what we
3 talked about earlier. So there's one water closet, toilet room,
4 room with a toilet in it, and then there's a separate room next to
5 that, that's a room with a shower.

6 Q: And as far as the condition of the shared shower, what's
7 the conditions of that -- of that shower?

8 A: It's not great. We haven't had any, you know,
9 janitorial or any kind of services at all for several years, so if
10 it gets cleaned it's when the tenants do it so it's pretty grimy.

11 Q: What about this --

12 A: Occasionally clogged.

13 Q: I'm sorry?

14 A: And occasionally clogged. At the moment it's running,
15 but it has been clogged.

16 Q: Okay. How much space is in that shower area?

17 A: Very little. I think it's a -- it's -- it's like a
18 large-ish closet and now we have stored other stuff in there, so
19 there's just enough room to kind of like turn around and dry
20 yourself off.

21 MS. JOSEPH: Okay. I'd like to show the witness
22 Exhibit 12.

23 ALJ STECURA: Is that for identification or is it
24 already admitted?

25 MS. JOSEPH: It's already in evidence, Judge.

1 ALJ STECURA: Okay.

2 Q: So, I'll show you Exhibit 12, I'm directing you to page
3 11. So when we look at this picture, the space you're referring
4 to is the stand -- what is the standing space that -- that is
5 depicted in this picture?

6 A: At the -- at the bottom of the picture, so the person
7 who took this picture, I think it was Inspector Sequino
8 (phonetic), was standing in the shower. So you're looking out and
9 you can see the -- the shower curtain because he's standing in the
10 shower. And then below that is like this little square area that
11 you -- where you could stand. And this is all stuff that's stored
12 in there from our communal kitchen.

13 Q: Okay.

14 ALJ STECURA: What page are you referring to?

15 MS. JOSEPH: 11.

16 ALJ STECURA: Page 11. Thank you.

17 Q: Now around November of -- the end of the year in 2022,
18 what shared facilities were available to you on the floor above
19 you?

20 ALJ STECURA: Okay. Can you put the exhibit aside?

21 Thank you.

22 MR. BECKWITH: I'm sorry.

23 A: What shared facilities were available to the floor -- on
24 the floor above me?

25 Q: And that's in November, 2022.

1 A: That -- there used to be -- November, 2022. The -- yes,
2 that there was a shared toilet and shower and a shared communal
3 kitchen on the floor above me.

4 Q: What happened to those facilities?

5 A: They were removed by the landlord who said he was
6 clearing some old violations. He had to clear some old
7 violations.

8 Q: And what about the 3rd floor, your floor, what was --

9 A: My floor, he also --

10 Q: What was --

11 ALJ STECURA: Let the question finish. Thank you.

12 Q: What was the shared facilities of any -- on -- on the
13 3rd floor, your floor?

14 A: There was a toilet, a water closet, so a room with a
15 toilet on my floor. And that was removed after -- the month after
16 the shower and bathroom on the floor above me.

17 Q: Now, in relation to your room, where was the toilet on
18 the 3rd floor located?

19 A: Across the hall.

20 Q: How convenient was it to have a toilet across the hall
21 from you?

22 A: Convenient. More convenient than it not being on my
23 floor. So being on the same floor, it was -- it counted for a
24 lot.

25 Q: Now, who told you that these facilities have to be

1 removed to clear up violations?

2 A: Thomas, my neighbor, explained that he had been ex -- it
3 had been explained to him that there were old violations that had
4 to be removed.

5 Q: And do you know if you know who explained it to Thomas,
6 what --

7 A: Michael.

8 Q: -- from what he told you?

9 Q: I'm sorry?

10 A: That Michael had told that to Thomas.

11 Q: Now, since March 4th, 2024, how did the removal of the
12 kitchen and shower from the 4th floor impact you?

13 A: That -- that was the shower that I would use. This
14 shower doesn't have any ventilation at all. There's no fan. It's
15 not great. And that -- that the -- the bathroom -- the facility
16 that was removed was the best one. There was a toilet and a
17 shower in the same room, and there was actually some space. It
18 might have been, you know, around 50 square feet, a little square,
19 nice sized bathroom with a window. And so that was the shower
20 that I would usually use. And with the removal of the kitchen, I
21 am eating all my meals out, which is expensive and unhealthy.

22 Q: Now, when you say -- I just wanted to clarify, you said
23 there was more space in the shower that was removed. You were
24 relating to 1-5, 15 square feet, approximately, not -- or -- or --
25 or 5-0 square feet?

[02:02:11]

[00:10:36-3]

1 A: I'm thinking of a 50 square room, I think is 100 square
2 feet and so I think that it was roughly 50 square feet if I --

3 Q: Okay.

4 A: I could be wrong. It was a decent size bathroom.

5 Q: Okay.

6 A: Shower and a toilet.

7 Q: And as far as the toilet that was removed from your
8 floor, from your 3rd floor, how does that -- as of March 4th,
9 2024, how does that impact you?

10 A: The removal of the toilet is a problem because when I go
11 to the bathroom at night, the floors are slanted. Even on the
12 landing, the steps are slanted and uneven and I have been
13 stumbling a little bit. I'm getting old and it is not good for me
14 to be walking up and down the stairs to the bathroom at night.

15 Q: And so when you -- when you refer -- when you testify
16 walking up down the stairs, you're referring to go into the
17 bathroom on the 2nd floor?

18 A: Correct.

19 MS. JOSEPH: Okay. Judge, I'd like to show the
20 witness Petitioner's Exhibit 16. I think it's already in
21 evidence also.

22 ALJ STECURA: You may.

23 MS. JOSEPH: Thank you.

24 [OFF MIC CONVERSATION]

25 ALJ STECURA: May I have a copy? I do not have 16.

1 MS. JOSEPH: Sure. Yes.

2 ALJ STECURA: Thank you.

3 Q: So, Mr. Beckwith, I'm showing you, if you opened the --
4 the -- after the page that -- after the first two pages and you
5 look through this; what is that?

6 A: These are papers that were mailed -- taped to my door,
7 mailed to various places that I got.

8 Q: And let me direct you. If you count from the first
9 page, including the exhibit page 1, 2, 3, 4, the 5th page, on the
10 bottom it says 3 of 21. Excuse me. Who is named on top as the
11 registered managing agent?

12 A: Michael Geylik.

13 Q: And where is the business address?

14 A: 109 East 9th Street, 1st floor.

15 Q: I'm sorry.

16 A: Yes, sorry.

17 Q: Do you -- do you know -- as far as you know, what
18 business is located on the 1st floor of 109 East 9th Street?

19 A: This MGNY.

20 Q: And how -- how do you know that?

21 A: Big sign.

22 Q: Okay. Do you know what is MGNY as far as you know?

23 A: I think it stands for Michael Geylik New York.

24 Q: Do you know what type of business it is, as far as you
25 know?

1 A: I've looked at their websites, so it's real estate
2 consulting. And then further when I looked, you know, it says
3 what they do and then they're -- they handle a lot of the New York
4 City Housing Connect lotteries.

5 Q: Okay. And do you know if in your building were you
6 approached about leaving by entering into a building -- housing
7 lottery?

8 A: No, I think not directly, no.

9 Q: Okay. Do you know if anyone else living in your
10 building, if you know, that was approached about leaving the
11 building?

12 A: I do believe, from discussions in the tenant's
13 association, that several other tenants were. I believe that --
14 that my neighbor across the hall was moved into affordable
15 housing. Michael seemed really interested in the idea that I'm a
16 municipal employee, which I later connected to the preference for
17 municipal employees and affordable housing, but --

18 Q: How did Michael seem interested in the fact that you
19 were a municipality --

20 A: When I first moved in, he seemed interested in my job
21 and that I worked for the city. I don't know, but --

22 Q: Okay.

23 ALJ STECURA: So I'm just going to remind you, let
24 Ms. Joseph finish her questions before you answer. Thank you
25 very much.

1 Q: Now, as far as the office downstairs, do you have
2 opportunity to see Michael around the office?

3 A: Sometimes.

4 Q: Okay. Let me direct you to page 7, again from the --
5 counting 7 from the first page, I think. Let me see. So on the
6 bottom it says 5 of 21. Okay. And now if you read on top
7 underneath the title, New York Civil Court, it says, notice of
8 intention to discontinue hotel tenancy and to commence an action
9 or proceeding based on non-primary residence. Now, do you recall
10 -- do you recall receiving this notice?

11 A: Yeah.

12 Q: Okay.

13 A: Yes.

14 Q: Do you recall when you received this notice about?

15 A: Around the new year of this year?

16 Q: Of this year?

17 A: Uh-huh.

18 Q: 2025?

19 A: Yes. Right around New Year's. Around the holidays,
20 right after Christmas.

21 Q: Of which year?

22 A: This year. This year, New Year's 2020 -- January 1,
23 2025.

24 Q: Oh, I see. My -- my bad. I was looking at the end of
25 the year. Okay. About January, 2025. Okay. Was it before the

1 New Year's or was it --

2 A: I think it was -- I think it was just before the New
3 year.

4 Q: Okay.

5 A: Around the Christmas holiday.

6 Q: And on the bottom here -- on the bottom of the same
7 page, it tells you that you have to take notice that you required
8 to quit vacant and surrender possession of the subject premises
9 before March 31st. And then upon failure to quit vacate, the
10 landlord will commence an appropriate proceeding against you. Is
11 it your recollection that a proceeding was indeed commenced
12 against you?

13 A: Yes.

14 Q: Okay. Now, when you got these papers asking you to quit
15 by March 31st, how -- how did it make you feel as far as being a
16 resident of this building?

17 A: This made me anxious, unhappy and upset.

18 Q: Let's see on the same page. On the same page, if we are
19 looking at -- let me see. Under 1, do you see where it starts the
20 paragraph sort of in the middle that says 1, where it states,
21 "Agents for the landlord has not -- have not observed tenant
22 Shiras Patterson Beckwith occupying the subject premises." As far
23 as you know, is there a -- a super or a janitor on the premises of
24 the building?

25 A: Is there -- no, none.

1 Q: And under 2, it says, "Upon information, belief the
2 tenant reside at the towers." Do you know what is the towers?

3 A: The towers are a dormitory at City College.

4 Q: And have you resided there?

5 A: I have never set foot in the towers.

6 Q: And you don't reside there today?

7 A: I do not live there.

8 Q: And under 2B, it says, "Upon information, belief tenant
9 was provided with faculty housing." What kind of faculty housing
10 were you provided with?

11 A: None.

12 Q: Under 3, it says, "Landlord agent, security cameras
13 installed by the landlord, have not observed tenant at the subject
14 building. Tenant has been visiting the subject building once or
15 twice a month." Do you consider that -- is -- is that a true
16 statement?

17 A: No, I dispute that.

18 Q: Have you lived in the building -- stayed in the building
19 more than twice or once a month?

20 A: Yes.

21 Q: Now under 3A, it says you receive mail address to Amy
22 Beth Cartrell(phonetic) at the subject premises. Why do you get
23 mail for Amy Beth Cartrell at your home?

24 A: Amy Beth Cartrell lived at the premises with me, you
25 know, as a roommate, legally. We lived there together for a

1 period in 2008.

2 Q: And in any event, do you know, if -- if you know, if
3 getting mail for a friend or relative violates any part of your
4 tenancy?

5 MR. FAVILUKIS: Objection, Your Honor. Calls for a
6 legal conclusion from the witness.

7 ALJ STECURA: Sustained.

8 Q: Okay. Now 3B states that you visit, the two visits a
9 month, about 15 minutes -- approximately 15 minutes each. How
10 true is that statement?

11 A: I dispute that. I stay there longer than 15 minutes. I
12 clean, I watch TV, I read, I work from home there. I visit with
13 friends, I stay over.

14 Q: Now, is it fair to say that since 1992, as far as unit
15 2E at the subject address, has been your primary home?

16 A: Yes, absolutely.

17 Q: What opportunity did you have during last year to sublet
18 your apartment to any -- anybody else?

19 A: I did not.

20 Q: Okay. Let me turn over to page 9. So that will be two
21 pages after the one we were looking at. So it's a 7 of 21 on the
22 bottom. There's a list under CC, do you see that?

23 A: Yes.

24 Q: Okay. Now, the address of 401 West 130th Street. Do
25 you know what that address is?

1 A: Not for certain 100 percent. My surmise is that that is
2 the address of the towers. I know they're around 130th.

3 Q: And you have a -- you have lived in that address?

4 A: Again, I have never set foot in that dormitory and those
5 buildings.

6 Q: Okay. And the address below it, 156 Noble Street in
7 Brooklyn, New York, do you know what address is that?

8 A: That is the home of my 80-year-old mother.

9 Q: And is that your primary residence?

10 A: It is not.

11 Q: And what was your mother's reaction when she received
12 the papers at her address?

13 A: She was upset and unhappy and wanted to know what to do
14 with the papers and -- and how she could help me and she -- you
15 know, it was not great. She continues to get. She got the -- the
16 -- the subsequent filing too.

17 Q: Now the address of Compton-Goethals Hall Room 109 at 160
18 Convent Avenue. Do you -- do you know where that address is?

19 A: That is my workplace. That's the building that would be
20 like -- that would go to my office. So that's the -- that's the
21 art off -- the office of the art department, and so that's -- that
22 mail actually goes into my mailbox. That's my mailbox.

23 Q: So have you resided there as your -- as your primary
24 residence?

25 A: I have not, no.

1 Q: And the last one, City College of New York, Office of
2 General Counsel. Do you know what that address is?

3 A: Yes. This is a man named Paul Occhiogrosso, who's the
4 school's attorney and who is involved in things to do with my work
5 so that -- you know, he's the lawyer for the whole school. And,
6 you know --

7 Q: I'm sorry.

8 A: Just it is not good to have this kind of stuff going to
9 the lawyer for the whole school to me.

10 Q: Why is it not good?

11 A: I feel like it would like, reflect on me. I -- you
12 know, I don't know. I just found it upsetting, so.

13 Q: What -- with regard to the -- the Office of General
14 Counsel receiving these papers, what, if anything, have you
15 requested of -- of -- of them with regard to the place of your res
16 -- of your primary residency?

17 A: Sure. I did call and talk to Mr. Occhiogrosso. He
18 explained that the towers aren't actually owned by City College,
19 but there's a contract with them to provide, you know, dormitories
20 for our students. That he -- he couldn't provide me with a letter
21 because it wasn't our thing, it was this other company who runs
22 it. He advised me to get a letter from Human Resources, which I
23 did get stating that my address since -- on file with City College
24 since 2008 has been 109 East 9th Street.

25 MS. JOSEPH: Okay. Oops. This is open. I'd like

1 to show the witness part of a Petitioner's Exhibit 11, if I
2 may, Judge? It has not been authenticated as of yet. It is
3 a pack of three -- three pictures.

4 ALJ STECURA: Are you showing it for the purposes
5 of identification?

6 MS. JOSEPH: Yes, Judge.

7 ALJ STECURA: And you're intending to get the
8 entire exhibit in?

9 MS. JOSEPH: No, just these three pages out of
10 petition -- out -- out of Petitioner's 11 that had to do with
11 -- with the witness. I don't have -- the remainder of the
12 exhibit will be authenticated at a later time.

13 ALJ STECURA: That's fine.

14 MS. JOSEPH: Okay. Thank you, Judge.

15 [OFF MIC CONVERSATION]

16 ALJ STECURA: Thank you. And this is 11?

17 MS. JOSEPH: Yes. It's part of 11, Judge.

18 ALJ STECURA: It's part of 11.

19 MS. JOSEPH: Part of 11. 11 is in -- yeah.

20 ALJ STECURA: So just when you -- just be very
21 clear and specific about what part of 11 you are showing to
22 the witness and moving.

23 MS. JOSEPH: Right. I mean as far as description,
24 Your Honor?

25 ALJ STECURA: Yes, please.

[02:28:18]

[00:26:07-3]

1 MS. JOSEPH: Okay, sure.

2 Q: So, Mr. Beckwith, can you take a quick look at these
3 three pictures. Do -- the documents I put before you. Do you
4 recognize these photos?

5 A: I do.

6 Q: And what are the -- what are the photos of?

7 A: My -- the entrance to my room and then inside my -- my
8 room, my apartment.

9 Q: And you recall on March 11th, the date on the bottom
10 2025, do you recall allowing access to your unit?

11 A: I do. Inspector Sequino -- I -- I let Inspector Sequino
12 into my unit.

13 Q: Do you know who took these pictures?

14 A: Inspector -- I was so, there when Inspector Sequino took
15 these pictures.

16 Q: And so the conditions that are depicted in these
17 pictures are true and accurate depiction as the conditions that
18 existed on March 11th, 2025?

19 A: Yes.

20 MS. JOSEPH: Okay, Judge. So I'd just like to move
21 these three, excuse me, photographs into evidence. It's part
22 of Exhibit 11 and the remainder of the exhibit will be
23 authenticated at a later time.

24 MR. FAVILUKIS: Which pages of 11?

25 MS. JOSEPH: There are no -- there are no numbers

1 on 11, so I can't relate to exact pages. It's part of 11.

2 ALJ STECURA: Well, you have to be specific about
3 what you're trying to move into evidence.

4 MR. FAVILUKIS: Yeah.

5 MS. JOSEPH: 11 basically is --

6 ALJ STECURA: So compare 11 in its fullness, those
7 page numbers and which page numbers that you are moving.

8 MS. JOSEPH: Okay. Give us 11. So, right -- oh,
9 it is actually marked, my bad. So let me see. I could do
10 that if I just have a minute.

11 ALJ STECURA: Yes.

12 MS. JOSEPH: I'll find those.

13 [OFF MIC CONVERSATION]

14 MS. JOSEPH: Okay. So I take it back, I don't see
15 -- oh, I see it's 219. So it is not part of 11, it is part of
16 another exhibit. I will take a look in a minute. It must be
17 -- what is that?

18 ALJ STECURA: Okay. I'm going to pause the record.

19 [OFF THE RECORD]

20 [ON THE RECORD]

21 ALJ STECURA: Okay. We're back on the record.
22 Could you please clarify what exhibit you are showing to the
23 witness and what pages from that exhibit?

24 MS. JOSEPH: Right. So the first photograph I'm
25 showing to the witness is from Exhibit 9, it's page 11 --

1 Page 12.

2 MR. FAVILUKIS: Not -- not --

3 MS. JOSEPH: That's --

4 MR. FAVILUKIS: Not the 9 that I have.

5 MS. JOSEPH: That's -- no, that's the 9 I have. I
6 have nine and it says page 12.

7 ALJ STECURA: It has to be -- you have to have the
8 same exhibit. So Respondent is looking at the exhibits that
9 you provided for him.

10 MS. JOSEPH: No. I understand, but I don't see --

11 MR. FAVILUKIS: Oh, I apologize. Yes, it's 13, not
12 12.

13 MS. JOSEPH: Well, I have it as 12. I -- I have it
14 marked so --

15 MR. FAVILUKIS: It's 13 when you include the cover
16 page.

17 ALJ STECURA: All right. So --

18 MS. JOSEPH: Is your exhibit numbered?

19 MR. FAVILUKIS: I'm literally looking at the
20 documents that you uploaded.

21 ALJ STECURA: Let's -- let's take it down a notch.
22 So we're going to count the cover page when we count the
23 pages in the exhibit. So that would be page 13 or page 12?

24 MS. JOSEPH: It's page 12. I have it numbered,
25 Your Honor, so.

1 ALJ STECURA: There's no number on what you gave
2 me. I don't --

3 MS. JOSEPH: No, not these, I'm sorry. The page --

4 ALJ STECURA: And there's no number on the digital
5 exhibit.

6 MR. MESTOUSIS: There is a number on it.

7 MR. FAVILUKIS: There's a -- there's a number at
8 the top right corner --

9 ALJ STECURA: And what number --

10 MR. FAVILUKIS: -- of the digital exhibit. It's
11 12, but it's page 13 when you count the --

12 MS. JOSEPH: Oh, it is 12. Okay.

13 MR. FAVILUKIS: That's why.

14 ALJ STECURA: Okay. Let's not worry about the
15 small stuff and try to work together to make this sufficient.
16 So page 12, page -- of Exhibit 9. Next page.

17 MS. JOSEPH: Okay, next page.

18 [OFF MIC CONVERSATION]

19 MS. JOSEPH: Now at this point, Judge --

20 ALJ STECURA: Okay. Page 12, and what are the
21 other two pages?

22 MS. JOSEPH: I'm just going to leave it at 12, Your
23 Honor, because I don't want to get into --

24 ALJ STECURA: Okay. That's okay. All right. So
25 page 9 -- sorry, Exhibit 9, page 12; you have requested that

1 it be moved into evidence. I'm going to ask Respondent's
2 counsel, do you object to page 12 of Exhibit 9 going into
3 evidence? No objection?

4 MR. FAVILUKIS: No, Your Honor.

5 ALJ STECURA: So page 12 of Exhibit 9 is now in
6 evidence.

7 **[Petitioner's Exhibit 9, page 12, admitted into**
8 **evidence.]**

9 MS. JOSEPH: Okay. Thank you, Judge.

10 ALJ STECURA: Thank you.

11 [OFF MIC CONVERSATION]

12 Q: So just with the reference to the first page of the
13 three pages that I -- I showed you, Mr. Beckwith, what do we see
14 in that picture?

15 A: It's the entrance to my unit and then there's a -- the
16 floor, the weird white stuff, is foam underlayment and on top of
17 that's like a laminate floor.

18 Q: And so when you put your foot up from the hallway to
19 enter into your room, that is what the entrance to your room looks
20 like?

21 A: There's a little step up, maybe five, four inches.

22 Q: Right. And have you asked -- and have you asked Michael
23 Geylik, at all, to -- to correct that so it is not -- it is flush
24 with the floor?

25 A: No.

1 MS. JOSEPH: Okay. Now the -- the other two pages,
2 Your Honor, are part of Exhibit 22. It is page 17 and 18 of
3 22.

4 ALJ STECURA: Okay. And are you looking --

5 MS. JOSEPH: I'm just going to -- I'm just going to
6 ask the witness one more question if -- if -- before I move
7 it into evidence, if that's okay?

8 ALJ STECURA: That's fine.

9 MS. JOSEPH: Okay.

10 Q: On -- if you look at the next two pictures, right, on
11 that date of March 11th in addition to Mr. Sequino, was there
12 anybody else from HPD at the building, as far as you recall?

13 A: I don't have a good recollection of that. I think --

14 Q: Okay.

15 A: I remember Sequino, so I think he had a -- I think there
16 was somebody else, but I really don't remember everyone I've
17 talked to since, so.

18 Q: Okay. I understand. Do you recall if the second and
19 third picture you're looking at was taken on that day by HPD as
20 well?

21 A: Yes.

22 Q: And you were there to provide access and -- and be
23 present at that time?

24 A: Yes.

25 MS. JOSEPH: Okay. So as far as page 17 and 18 of

1 Exhibit 22, Your Honor, I wanted to move that into evidence.

2 ALJ STECURA: Any objection?

3 MR. FAVILUKIS: No, Your Honor.

4 ALJ STECURA: Okay.

5 MR. FAVILUKIS: These are -- I just want to
6 confirm; these are the two pages that you previously said
7 were part of Exhibit 9?

8 MS. JOSEPH: Yes.

9 MR. FAVILUKIS: Okay.

10 MS. JOSEPH: I made a mistake.

11 MR. FAVILUKIS: That's okay.

12 ALJ STECURA: So these -- so I'm clear, these are
13 from Petitioner's Exhibit 22, pages 17 and 18, correct?

14 MS. JOSEPH: Yes. Yes, Your Honor.

15 ALJ STECURA: Okay. Thank you.

16 MS. JOSEPH: You're welcome.

17 ALJ STECURA: All right, so that's now in evidence.

18 **[Petitioner's Exhibit 22, pages 17 and 18 admitted**
19 **into evidence.]**

20 MS. JOSEPH: Thank you, Your Honor.

21 Q: So what do we see in the -- the second page that you
22 have?

23 A: I call this the Alvin Ailey sink because we think Alvin
24 -- we know Alvin Ailey lived in the building, so it's definitely a
25 very old cast iron sink.

1 Q: And the -- the -- that black circle around the sink, is
2 that dirt or is that like less --

3 A: It's more like rust.

4 Q: Okay.

5 A: It's like rust. I think the -- the coating -- I guess
6 porcelain, whatever the coating is come away around the drain.
7 It's -- it doesn't leak, it's just discolored.

8 Q: Okay. And the second picture that we are looking at?

9 A: Is from an old -- the -- whatever seems wrong there.
10 The hole is from an old water -- water leak.

11 Q: On the ceiling?

12 A: Yes.

13 Q: And have you asked -- you asked him --

14 A: I have not. I have not asked for -- to --

15 Q: Wait for my question. Have you asked the owner to re-
16 plaster that or correct the -- the leak?

17 A: I have not.

18 Q: Why not?

19 A: I don't want him in the room. Over my 30 years being
20 there, this is the kind of thing I would just take care of myself.

21 Q: Okay. Now, let me take you to earlier this mo -- month.
22 Did you get a notice to get new keys to the financials (phonetic)?

23 A: I did.

24 Q: And did you indeed go to the building to get your keys?

25 A: I did.

1 Q: And what did you observe when you went to the building?

2 A: Well, I was given this tight window. I believe it was
3 on a Friday. Is it -- I'm going to say it was like Friday, 3:00
4 to 5:00. We're going to change the lock. You have to show up and
5 get your keys on this day between these two hours. And it seemed
6 very much as if we were going to get -- I was going to be locked
7 out. I complained. That seemed like the going -- the -- the best
8 information I had. So I left work early, got downtown in time for
9 this key. Well, we were meant to have to turn in our old key to
10 get the new key, and like maybe show ID. And then I got there for
11 key time and --

12 Q: What did you notice when you got there?

13 A: There were a couple police cars and maybe about a half a
14 dozen NYPD, uniformed NYPD, in the commercial space and on the --
15 on the sidewalk out front.

16 Q: And did you stay to -- to see what happened next?

17 A: It -- everything happened very fast. Yes, I stayed. It
18 was kind -- I remember it being a nice day. And I -- so -- I was
19 standing outside on the sidewalk, kind of looking at the scene.
20 And within a co -- I think a couple minutes I saw my -- my next-
21 door neighbor, we share a wall. My next-door neighbor Remy,
22 walking up to the building as if one would think to get his key
23 and instead, he was getting arrested on some charges that Michael
24 had laid against him. And so the whole key thing was actually, I
25 think about having Remy there at a certain time. And --

1 Q: Now, did you -- what -- what -- did you end up getting a
2 key that day?

3 A: No.

4 Q: What conc -- after you saw that, what you just
5 described, what concerns, if any, did you have about the owner,
6 Mr. Geylik?

7 A: I'm -- deeply unhappy. The conditions he's -- I -- I
8 feel like reduced services in the building, having everyone have
9 to basically share -- most of us are sharing one toilet, not
10 having a kitchen, not having janitorial services, making it so
11 people wouldn't want to live there, not giving us heat. This, to
12 me, I -- I'm deeply upset. He -- that they started arresting --
13 you know, we formed a tenant's association and then these slumped
14 up charges where my roo -- you know, my -- my neighbor I believe
15 got arrested for helping an HPD inspector get into a vacant unit.
16 And I fear -- I fear that Michael will do something that will be -
17 - be dangerous in the building, apart from that, but I also fear
18 that he will get me arrested on, you know, that he is a landowner,
19 he is an upstanding landlord and business owner and that if he
20 tells the police I should be arrested. Like, I wouldn't stick
21 because I'm -- I don't do anything illegal, but that -- that would
22 be cause enough for me to get arrested. And I'm -- I'm old and
23 small and I really don't want to experience that. And I do --
24 like, there's a lot of surveillance cameras. There's like 16 over
25 every door and I just I'm -- I -- I am fearful when I'm there that

1 I'm being watched and that's something -- you know, that I
2 could be arrested. And it's also just sad to see my neighbor
3 arrested.

4 MS. JOSEPH: Okay. Thank you. I don't think I
5 have any further questions, Your Honor.

6 ALJ STECURA: Okay. Let's take a very short break
7 and then we'll do cross examination. So, sir, you are --
8 your testimony's still in progress, --

9 MR. BECKWITH: Yes.

10 ALJ STECURA: -- you may not -- excuse me, you may
11 not speak to anyone about your testimony, okay, until your
12 testimony is over.

13 MR. BECKWITH: Understood.

14 ALJ STECURA: All right. So it is 7 -- sorry,
15 2:42, let's come back at 2:52, please.

16 MR. BECKWITH: Thank you.

17 MR. FAVILUKIS: Thank you, Your Honor.

18 MS. JOSEPH: Thank you, Your Honor.

19 [OFF THE RECORD]

20 [ON THE RECORD]

21 ALJ STECURA: It's 2:52, we're back on the record
22 and Respondent is now cross examining the witness.

23 MR. FAVILUKIS: Thank you, Your Honor.

24 **CROSS EXAMINATION OF MR BECKWITH**

25 **BY MR. FAVILUKIS:**

1 Q: Hello, Mr. Beckwith. My name is Vladimir Favilukis. I
2 want to pick up with something that you -- that -- one of the last
3 questions there about the NYPD showing up at the building on the
4 day that you were there to pick up your keys, your new keys. So
5 you said that multiple NYPD officers came to arrest, I think you
6 said Mr. Schlopick?

7 A: Remy, yeah.

8 Q: Remy? Remy? And you said -- you used -- your words
9 were on trumped up charges. Do -- have you reached out to the
10 NYPD to let them know that you believed that he was wrongfully
11 arrested?

12 A: No.

13 Q: Okay. You mentioned that -- you mentioned the reason
14 why he was arrested. I think you said the landlord had him
15 arrested?

16 A: I think so.

17 Q: Do you know?

18 A: Well, I saw Michael looking at like a computer screen
19 with some cops. No, I don't know for a fact. Actually, you know,
20 it could have been -- you know, it could have been something else.
21 I should -- I -- I -- this is my surmise, but then later on Remy
22 told me what -- you know, so that was related to me by him, but at
23 the time I didn't.

24 Q: What did Mr. Schlopick tell you that -- what -- what was
25 the reason that Mr. Schlopick said he was arrested?

1 A: He has -- that he told me he has like a -- I can't
2 remember what it's called. He's not allowed to come within a
3 certain distance of Michael, right.

4 Q: A restraining order?

5 A: I don't think that's the term though, it's something
6 else. And then he -- there's a -- I think there's a couple of
7 charges and that one of them is -- has to do with him opening a
8 vacant unit for one of the HPD inspectors.

9 Q: This is what Mr. Schlopick told you?

10 A: Yeah.

11 Q: But that there were -- but he also said that there were
12 other charges that may have been the reason for his arrest?

13 A: Maybe. But this is the one I'm kind of focused on
14 because it seems like stuff I might have would've caught had I did
15 something like that.

16 Q: Are you aware of Mr. Schlopick being arrested in the
17 past?

18 MS. JOSEPH: Objection, Your Honor. Pass --

19 ALJ STECURA: Sustained.

20 Q: Okay. You said you've lived in the building since 1992,
21 correct?

22 A: Yes.

23 Q: Since you've lived in the building, has Mr. Schlopick
24 been arrested at other times?

25 MS. JOSEPH: Objection, Your Honor. The testimony

1 of direct was on that particular day only.

2 ALJ STECURA: Sustained.

3 Q: Okay. You said you were not able to pick up your key
4 that day, correct?

5 A: Correct.

6 Q: When were you able to pick up your key?

7 A: Shortly after that.

8 Q: When was that?

9 A: You know, it's been a little while now so possibly the
10 next day. It was the short -- short period.

11 Q: Possibly the next date?

12 A: Not -- not that day. I think it might've been the next
13 day.

14 Q: Did -- did you speak to the -- so the tenant's
15 association, I think, of which you were part, is represented by
16 counsel?

17 A: Yes.

18 Q: Ms. Arc -- Archin (phonetic)?

19 A: Yes, yes.

20 Q: Did you speak to Ms. Archin in the context of obtaining
21 your key, scheduling the key pickup?

22 A: There were emails.

23 Q: What did the emails say?

24 A: Well, --

25 Q: If you can remember.

1 A: -- I'll say this; you know what got me down there was
2 that I had been told when I was supposed to, you know, that I had
3 this window to pick up the keys. The -- the best that I can
4 remember is that like, I left work early, I rushed downtown.
5 There was this window. I think it may have even come out sometime
6 that day that it was changed, but I hadn't read that -- that
7 email. That's the best I can --

8 Q: Okay. Did you receive a notice from the landlord about
9 the lock needing to be changed?

10 A: Yes. Right, the lock and the key thing were --

11 Q: What was the -- do you remember the reason why the lock
12 needed to be changed?

13 A: The lock had been broken for a long time. It was like
14 sticky. We'd been asking for a new lock and back and forth.
15 Other tenants trying to get Michael to put in a new lock for
16 years.

17 Q: You -- you had asked for a new lock?

18 A: Through the tenant's association, I think so.

19 Q: Okay. But you're not sure; is that correct?

20 A: I think we needed a new lock. I think we -- we were
21 going to need a new lock.

22 Q: And your understanding is that the key needed to be
23 changed because the lock needed to be changed and the lock needed
24 to be changed because the tenant's association had said that the
25 lock was sticky?

1 A: I -- you've got to say that again.

2 Q: I'm asking why you think the lock needed to be changed.

3 A: I don't know. I think we needed a new lock.

4 Q: Okay.

5 A: I think is what I would say on the matter.

6 Q: You don't think that the lock needed to be changed

7 because one of the tenants broke the lock, correct?

8 A: Actually, no, I don't. I think we needed a new lock.

9 Q: Okay.

10 A: And I'm not a locksmith, right, whether the key needed
11 to be changed, I --

12 Q: All right. Do you know, is Mr. Schlopick a locksmith?

13 A: I don't know.

14 Q: Okay. So you -- so -- but you were able to pick up the
15 key, that's -- I just want to make sure that that's correct?

16 A: Not on the day that we talked about earlier. This --
17 now we're talking about something else, another day.

18 Q: Another day, maybe the next day?

19 A: I got it from Yuri, I remember that.

20 Q: Who's Yuri?

21 A: Oh, Michael's brother. Have you met him?

22 Q: Okay. I'm just -- I'm asking you if you know who Yuri
23 is?

24 A: Okay. All right.

25 Q: And because other people in the room might not know who

1 Yuri is.

2 A: Okay.

3 Q: So you said you lived in the building since 1992. I
4 live -- I -- the neighborhood has changed quite a bit since 1992,
5 right?

6 A: Sure.

7 Q: Has -- have you always lived in this same unit?

8 A: When -- when I'm there, I'm always -- I've always been
9 in that same unit, yes.

10 Q: Since 1992, have you occupied any other unit in the
11 building?

12 A: I have not.

13 Q: Okay. So you've always only occupied unit 2E since you
14 moved in in 1992?

15 A: Absolutely, that is correct.

16 Q: Has your floor be -- I want to refer you back to that
17 photograph that you showed us or that Ms. Joseph showed us.

18 ALJ STECURA: Which one?

19 Q: It's -- it's page 12 of Exhibit 9. It's the first of
20 the three photos that you -- have been shown to you.

21 A: These ones?

22 Q: Yes.

23 A: Yes.

24 Q: Okay. And you said -- you testified that was the
25 entrance to your room?

1 A: Yes.

2 Q: And is -- and you said that you knew it was the entrance
3 to your room because of that white material underneath the plaster
4 -- what is that? The -- the plywood floor? Is that what it is?

5 A: I think you're looking at a two by four, painted two by
6 four, and then some Styrofoam, and then a laminate floor.

7 Q: Laminate floor. And then -- and so did that white
8 material and lam -- the laminate floor, that's how you knew that
9 that was your room?

10 A: Sure, yes. That would be one of the ways, yeah.

11 Q: Okay. It's the way that you said earlier, you recognize
12 that your -- this was your room?

13 A: Okay. Yes. We all agree, it's my room.

14 Q: Okay. Are other -- do other rooms have the same step up
15 and plywood floor and -- and laminate? I'm sorry, I didn't catch
16 whatever it was.

17 A: My -- I think mine is unique enough that I can recognize
18 this. There's other rooms have various setups with some step ups
19 and new -- newer, you know, floors and stuff.

20 Q: And in 1992, when you moved into unit 2E, this
21 apartment, was the floor like this?

22 A: No.

23 Q: No? What was the floor like?

24 A: It was -- I -- I put this in in 1995 or '6 to level the
25 floor.

1 Q: To level the floor. So are you saying that the floor in
2 your room, unit 2E has not been level in 30 years?

3 A: I mean, if it -- it is -- it's been the same since I did
4 it in 19 -- right, I did it right after I graduated college. It's
5 been the same since I did it.

6 Q: Why did you do it?

7 A: Well, it's --

8 MS. JOSEPH: Objection. Asked and answered.

9 MR. FAVILUKIS: I just want to clarify.

10 Q: It -- it was because it was not level; is that correct?

11 MR. FAVILUKIS: Well, asked and answered.

12 ALJ STECURA: Hold on. Hold on. I'm going to
13 overrule the objection. Ask the question then move on.

14 Q: Did -- did you do this because the floor in your room in
15 1995 was not level?

16 A: In part, but also it was just a subfloor, right, so if
17 you don't have like, new oak flooring, like what's the bottom of a
18 floor is meant to have some floor treatment carpet's covering, so.

19 Q: Okay. And you did this yourself?

20 A: I did.

21 Q: No one else helped you?

22 A: No.

23 Q: Okay. Did the landlord in 1995 know that you did this?

24 MS. JOSEPH: Objection, Your Honor. We're go into
25 1995, I mean --

1 ALJ STECURA: Sustained.

2 Q: Okay. All right. And I think you said -- and I
3 apologize, I think you were talking referring about the sink, but
4 I want to make sure that the sink and the floor are issues that
5 you have not complained to Michael Geylik about since you
6 purchased the building; is that correct?

7 A: I have not. I just texted him about our front door not
8 locking, I haven't heard back about that. And then when he gets
9 back to me about that, I'm going to talk to him about the sink
10 dripping. But as far up till now, we haven't talked to about the
11 sink.

12 Q: When was that when you texted him about the door not
13 locking?

14 A: Yesterday.

15 Q: Yesterday?

16 A: Yeah.

17 Q: Did you text Michael about the door not locking before?

18 A: Never.

19 Q: Never? Okay.

20 A: It's like a new problem.

21 Q: Okay. And -- and he -- Michael hasn't gotten back to
22 you since yesterday?

23 A: No. He used to be more responsive. I don't know.

24 Q: I don't know.

25 ALJ STECURA: All right. There no question

[03:02:41]

[01:00:30-3]

1 pending. No commentary, please.

2 Q: So and -- and so the sink in photograph -- in the second
3 photograph, which is page 17 of Petitioner's Exhibit 22, and the
4 ceiling, I think this is, which is page 19 --

5 MS. JOSEPH: 18.

6 Q: Sorry, I apologize. 18 of Exhibit -- of Petitioner's
7 Exhibit 22. These are conditions in unit 2A that you have not
8 complained to Michael, your landlord, about?

9 A: 2 -- what unit did you say?

10 Q: 2E, I apologize. 2E, your unit?

11 A: I have not.

12 Q: Okay. And you said, I believe, that the reason you did
13 not complain to Michael, to Mr. Geylik, about the conditions in 2E
14 is because you didn't want Michael Geylik in the room; is that
15 correct?

16 A: That's part of it. It's also we have such cheap rents,
17 right, so over the years it's always just been like, to the extent
18 I can, we can, I think there's just like a DIY. There's been -- I
19 mean, now, I guess, things changed, but, right, so it would --
20 used to just be like, I would not bother the landlord about stuff
21 and take care of it because I have such a cheap rent. That's --

22 Q: Okay. So it --

23 A: It's been my --

24 Q: -- it's more than -- so -- so just so I understand
25 correctly, because before you said you didn't do it because you

1 didn't want the landlord in your room, but it was more than that.
2 It was more because you felt your rent is so cheap that you can
3 just do this work yourself; is that correct?

4 A: You know, it would be like to arrange, right, to have
5 somebody come in, hide my jewels, you know, whatever, right. And
6 --

7 Q: where do you keep your jewels?

8 A: And then --

9 Q: Okay. I'm just kidding. I'm just kidding.

10 A: Right. So, you know, it's just like the hassles
11 involved in patching a four-inch hole and having somebody else in
12 to do it, versus if I can take care of a little something like
13 that.

14 Q: And -- and have you taken -- because this -- this --
15 these photos were taken on March 11th. Have you taken care of
16 these -- of these conditions since then?

17 A: Some -- somewhat, yes. I've -- I've plugged the hole.

18 Q: Sorry, what's that?

19 A: Somewhat. I've stopped the dir -- dirt from raining
20 down.

21 Q: So you -- so in the photo -- in that photo of the
22 ceiling, so page 18 of Petitioner's 20 -- Petitioner's Exhibit 22.
23 You're saying you fixed that hole?

24 A: Somewhat.

25 Q: Somewhat. Okay. And the sink, is that still -- does it

1 still look the same?

2 A: Yeah, that's -- that's what it looks like.

3 Q: Okay. But in the photo, it's a little bit different
4 than, than what it looks like -- I'm sorry, in the -- in the
5 printed photo, it's a little different than what it looks like on
6 the digital photo. It -- this one's a little dark -- printed
7 photo's a little darker?

8 MS. JOSEPH: Objection, Your Honor.

9 ALJ STECURA: Sustained.

10 Q: Okay. So why -- so -- I apologize, I -- I was going to
11 ask you why you don't want the landlord in your room, and I think
12 you answered. It's because you -- you don't want to him to steal
13 your jewel.

14 MS. JOSEPH: Objection, Your Honor. It's -- he's
15 making statements and --

16 MR. FAVILUKIS: okay.

17 MS. JOSEPH: -- and not asking the witness a
18 question.

19 ALJ STECURA: It's also asked and answered.

20 MR. FAVILUKIS: Understood.

21 MS. JOSEPH: Yes.

22 MR. FAVILUKIS: Understood.

23 ALJ STECURA: Okay.

24 Q: You mentioned that the kitchen -- there was a kitchen
25 and the kitchen was removed.

1 A: Yes.

2 Q: And can I ask you, in 1992 when you moved in, was that
3 kitchen there?

4 MS. JOSEPH: Objection, Your Honor. I don't think
5 the -- the -- the timeframe for this case -- first of all,
6 for this particular petition, it's for March 4th, 2024.

7 ALJ STECURA: Oh, I'm going to overrule your
8 objection. You can ask about the kitchen.

9 MR. FAVILUKIS: Thank you.

10 Q: Was that kitchen there in 1992?

11 A: Yes.

12 Q: Yes. And -- but then it was removed and -- and Ms.
13 Joseph actually made a very good point. Was that kitchen removed
14 before March of last year?

15 A: Yes.

16 Q: Yes. When was it removed?

17 A: In the fall, November -- October, November was the
18 demolition.

19 Q: October, November of 2023?

20 A: That was the -- the demolition.

21 Q: That was the demolition?

22 A: I think so.

23 Q: What demolition?

24 A: Of the -- he -- when he removed the facility -- no, I
25 guess it goes bac -- I'm honestly -- I'm far like on dates, right,

1 so it's the pandemic. He bought the building, that was June,
2 2021. So no, it was 20 -- is that what you said, 2022? Fall
3 2022?

4 Q: I was asking you when --

5 A: I will say that it was, to the best of my recollection,
6 fall 2022 is when he removed the communal kitchen, bath and
7 shower. And then after -- right, after that, then he removed the
8 toilet. The month after that. So October and then November, he
9 removed the toilet on my floor.

10 Q: Did you complain to the DOB that -- that there was being
11 -- work being done without permit?

12 A: Not personally. We -- the -- the tenants association
13 discussed and one of us called.

14 Q: Got it. Okay. And do you know if -- were there DOB
15 violations issued for --

16 A: For what?

17 Q: After --

18 ALJ STECURA: Okay. So rephrase your question.

19 Q: You -- you said that the tenant's association discussed,
20 and then one of you called the DOB to report a complaint in the
21 fall of 2022 about the demolition work being done though?

22 A: Yeah.

23 Q: Right?

24 A: You're asking me if Michael got fi -- I mean, he knows
25 if he got violations. I don't know if dot violation, no.

1 Q: If you don't know, you say -- I apologize. I -- I
2 should have clarified, if you don't know, you can just say, I
3 don't know.

4 A: I don't -- why would I know if he got violation.

5 ALJ STECURA: Okay. So if you don't know, sir, you
6 don't know. That's okay.

7 MR. BECKWITH: Okay, I'm sorry.

8 MR. FAVILUKIS: Judge, I apologize.

9 ALJ STECURA: Just testify as honestly as you can.
10 Thank you.

11 Q: Do you remember what the kitchen comprised of? What was
12 in the kitchen?

13 A: Before -- right at the -- just at the -- on the history
14 -- back -- going back to '92, but just the way it was right before
15 it was taken out, I think, right, so that we had mainly a nice
16 large refrigerator, a sink, there was a countertop and then
17 storage. So utensils, cooking supplies, toaster ovens,
18 microwaves, blenders, form and grills, you name it.

19 Q: Sorry, there were multiple microwaves?

20 A: Yes.

21 Q: Okay. How -- and did you frequently use the kitchen?

22 A: Actually, the two-microwave thing is real. Like it was
23 busy kitchen. In the mornings when people are trying to go to
24 work, sometimes both of them would be in use.

25 Q: Okay.

1 A: Communal kitchen. Can you believe it, right, everybody
2 else sharing the kitchen?

3 Q: I believe it. And -- and you used -- and I'm asking how
4 often you use the kitchen?

5 A: No -- occasionally. I don't know. I don't know.

6 Q: Okay. You mentioned that the notice that you received
7 from Michael about the termination of your hotel time tenancy, if
8 I -- if I can refer to it that way, that it was sent to multiple
9 places?

10 A: Yes.

11 Q: Are you familiar with the requirements of the real
12 property -- real property and procedure law with respect to where
13 notices such as that need to be served?

14 A: No.

15 Q: Okay. You mentioned that in that notice, the -- one of
16 the -- did you understand what the reason for the notice being
17 sent was?

18 A: To harass me.

19 Q: Okay. You -- do you -- did you read the notice?

20 A: The first one?

21 Q: The first one, yeah.

22 A: Yeah.

23 Q: And did it give a reason for why it was being sent to
24 you?

25 A: Yes.

1 Q: It did? And what was that reason?

2 A: Should I look at it?

3 Q: Sure. It's -- I think you have it in front of you, if
4 you need it to refresh your memory.

5 ALJ STECURA: Can you, for the record, state which
6 exhibit you're directing him to look at?

7 MR. FAVILUKIS: I think it is -- I believe it's
8 Petitioner's Exhibit 16. I apologize. I'm not sure I can
9 tell you which page it is.

10 ALJ STECURA: It is 16.

11 MR. FAVILUKIS: 16.

12 ALJ STECURA: Yeah. I just appreciate if you could
13 direct him to any page.

14 MR. FAVILUKIS: Yeah. No, I will. I -- I'm sorry
15 I don't have it in front of me.

16 Q: Page 7 of Petitioner's 16, and I think you have it in
17 front of you, it's titled, at the top, notice of intention to
18 discontinue a hotel tenancy and commence an action or proceeding
19 based on non-primary residence.

20 A: Uh-huh.

21 Q: So you said that -- I asked what was the reason for the
22 notice, you said to harass you.

23 A: Oh, no. You asked if I knew something about where --
24 why you had to send it where you sent it.

25 Q: Well, you said you didn't -- you weren't familiar with

1 the service requirements of section -- of item section --

2 ALJ STECURA: Why don't you clarify what you want
3 to know.

4 Q: I want to know if after you read the notice, you
5 understood the reasons why it was sent to you?

6 A: Yes.

7 Q: And are those reasons listed -- numbered there on -- on
8 the first page, page 1 -- or number 2, number 2, 2a, 2b, 3, 3a,
9 3b, are those are the reasons?

10 A: Okay. Yes.

11 Q: Okay. That -- that's all I'm asking, if you're
12 understand -- if you understood the notice.

13 A: Okay.

14 Q: You said that one of the -- I believe one of the
15 reasons, it's 3a, mentions Amy Beth Cartrell. Cartrell.

16 A: Yeah.

17 Q: And you said that Amy Beth Cartrell lived with you in
18 the apartment?

19 A: In 2008.

20 Q: In 2008. Are you married to Amy Beth Cartrell?

21 A: Amy Beth Cartrell is my wife.

22 Q: Okay. But you don't live together today?

23 A: We do not.

24 Q: Okay. Are you separated?

25 MS. JOSEPH: Objection, Your Honor. I don't think

1 it's part of -- he asked about his marriage situation, he got
2 an answer.

3 ALJ STECURA: Sustained.

4 Q: Okay. Where does Amy Beth Cartrell live?

5 A: In Brooklyn.

6 Q: Okay. Do you and Ms. Cartrell own property together?

7 A: Yes.

8 Q: Where do you own property together?

9 A: In Pittsburgh, Pennsylvania.

10 Q: And what is the purpose of that property? How is that
11 used?

12 MS. JOSEPH: Objection, Your Honor. What's the
13 relevance of -- of that? I mean, it is not --

14 ALJ STECURA: I don't -- I don't see that it's
15 relevant either.

16 MR. FAVILUKIS: Well, I can explain, Your Honor.
17 The allegation is that we sent this notice to harass, and our
18 position is that Mr. Beckwith doesn't live in the apartment.

19 MS. JOSEPH: I -- I disagree.

20 MR. FAVILUKIS: He lives --

21 MS. JOSEPH: Sorry.

22 MR. FAVILUKIS: That he lives with his wife. They
23 own property together in a different state.

24 MS. JOSEPH: That is --

25 MR. FAVILUKIS: As well -- you can go ahead.

[03:13:35]

[01:11:24-3]

1 MS. JOSEPH: That is incorrect. That's not what
2 the notice says. There's no mention here in this notice of
3 anything --

4 ALJ STECURA: Hold on. Could you please step out
5 for one moment, Mr. Beckwith. Thank you so much.

6 MR. FAVILUKIS: Thanks. Go ahead.

7 ALJ STECURA: Okay. Don't go too far.

8 MR. BECKWITH: Okay. I'll just be right there.

9 ALJ STECURA: Thank you so much.

10 MS. JOSEPH: Okay. So there's no allegation here
11 in this paper that Mr. Beckwith owns property elsewhere. It
12 doesn't show that, it has not listed that, the addresses are
13 not including that. And also, I wanted to clarify the
14 question was why was it served on these people and the answer
15 to that was to harass.

16 ALJ STECURA: So -- so you can --

17 MS. JOSEPH: I don't see the relevance --

18 ALJ STECURA: -- you can clear that up on your
19 redirect, but I don't see the -- there's no address in
20 Pittsburgh.

21 MR. FAVILUKIS: Well, so when the -- when the
22 notice was prepared, we were not aware of an -- of addresses
23 in Pittsburgh.

24 ALJ STECURA: So ask him where his primary
25 residence is.

1 MR. FAVILUKIS: I can -- I can do that.

2 ALJ STECURA: Ask him where he lives.

3 MR. GOLDSMITH: And put the -- the -- I'm -- I'm
4 sorry. The -- the requirement for --

5 ALJ STECURA: I -- no. I don't want both of you
6 arguing.

7 MR. FAVILUKIS: Sure. I'll explain. The -- the --
8 the allegations were made that we served the notice, the
9 predicate notice, on addresses to harass. the -- Mr.
10 Beckwith's mother's address, his office and the student
11 dormitory or the faculty dormitory where we believe he spends
12 most of his time, which is seven minutes from his office.

13 ALJ STECURA: It's not relevant to this proceeding.

14 MS. JOSEPH: Well, he doesn't live there.

15 ALJ STECURA: I --

16 MR. FAVILUKIS: But the allegation is --

17 ALJ STECURA: Right now, he's speaking, you had
18 your turn.

19 MR. FAVILUKIS: But the allegation is that we
20 commence this to harass. So we're trying to show that we
21 actually do have a valid basis to commence a non-primary
22 residence holdover here. And the fact that the predicate
23 notice, which was served six months ago, five months ago,
24 didn't include additional information that we've become aware
25 of now, which Mr. Beckwith, by the way, is right now

1 confirming. He's -- all I asked was if he owns -- he -- we
2 asked who Ms. Cartrell was, he said his wife. We asked
3 whether Ms. Cartrell lives in the apartment with him, he said
4 no. I simply asked whether or not they're separated to
5 explain why they live in separate -- they -- why he would
6 claim they live at separate residences. He then -- I then
7 asked if they own property together. The answer was yes.
8 Our position -- our argument is that this allegation of
9 harassment, unless HPD wants to withdraw it.

10 MS. JOSEPH: No, Your Honor, --

11 MR. FAVILUKIS: Just, if I may --

12 ALJ STECURA: Stop. Please stop. Let him speak

13 MR. FAVILUKIS: This allegation that -- this
14 notice, that our commencement of a non-primary residence is
15 indicative of harassment is completely without merit. We're
16 commencing non-primary residence against the person who we
17 believe doesn't live in the apartment, that -- that's our
18 position. And I think that the question --

19 ALJ STECURA: So you can ask him where he lives and
20 you can ask him if he lives in the Pittsburgh location.

21 [OFF MIC CONVERSATION]

22 MS. JOSEPH: Can I just say, Your Honor, that the
23 record contains --

24 ALJ STECURA: Excuse me. Excuse me. You can speak
25 quietly, you can pass notes; I shouldn't be able to hear you.

1 MS. JOSEPH: The notice that the allegations are
2 based on is Exhibit 16. It's not some other exhibit in the
3 future that Counsel wants to amend. This is what it's based
4 on.

5 ALJ STECURA: This -- so I'm limiting it to two
6 questions and then we're moving on.

7 MR. FAVILUKIS: Got it.

8 ALJ STECURA: Okay. Could you please recall the
9 witness.

10 MS. JOSEPH: I -- Judge -- Thank you, Judge.

11 MR. FAVILUKIS: I -- I -- Judge, just to clarify, -
12 - hold on one second.

13 ALJ STECURA: Hold on. Hold on, Mr. Mestousis.
14 Yes.

15 MR. FAVILUKIS: To clarify -- clarify the two
16 questions. So, Your Honor, I'm allowed to ask him whether he
17 lives in the unit he claims he lives in?

18 ALJ STECURA: Yes.

19 MS. JOSEPH: As his primary residence.

20 MR. FAVILUKIS: And I'm allowed to ask him what
21 about the pre -- the Pittsburgh -- the Pennsylvania
22 properties?

23 ALJ STECURA: You can ask him if he resides there
24 or if it's his primary residence.

25 MR. FAVILUKIS: Can I ask him what those properties

1 are used for?

2 ALJ STECURA: No.

3 MR. FAVILUKIS: Okay. Thank you, Your Honor.

4 ALJ STECURA: Thank you. Thank you for your
5 patience.

6 MR. FAVILUKIS: I'll -- I'll be very quick about
7 the -- the -- the questions we left off on.

8 Q: Mr. Beckwith, do you live at unit 2E at 109 East 9th
9 Street?

10 A: I do.

11 Q: Okay. And do you live at or reside at the Pitt -- the
12 Pennsylvania property that you mentioned that you own with your
13 wife?

14 A: I do not.

15 Q: Okay. You mentioned that you are employed at City
16 College of New York?

17 A: Correct.

18 Q: Since the fall of 2008?

19 A: Correct.

20 Q: Okay. And is that where you came from just before
21 today? I thought someone said you were coming from Harlem?

22 A: Yes.

23 Q: Thank you. And -- and you said your office is at 160
24 Convent; is that correct?

25 A: That's the mailing address for the school. When we --

1 if you want to send me mail, that's -- that's how it gets there to
2 the mail room.

3 Q: Do you have an office?

4 A: I do. It's in Compton-Goethals Hall on the City College
5 campus in Compton.

6 Q: Compton-Go -- Compton --

7 A: CG Hall, the address on here? Compton-Goethals Hall.

8 Q: And what is the address there?

9 A: We don't actually have a street address here. We have
10 to use a mail room and you have to address it to CG 109. There is
11 no number on the building, right, college campus.

12 Q: Is it near 160 Convent -- 160 Convent Avenue?

13 A: Convent Avenue runs down the middle of the street, so
14 I'm not actually sure which building. Presumably it's the one
15 where the mail room is.

16 ALJ STECURA: So please don't refer to the exhibit
17 unless Counsel asks anything.

18 MR. BECKWITH: Okay, sorry.

19 ALJ STECURA: Thank you.

20 MR. BECKWITH: I'm -- I was just -- sorry.

21 ALJ STECURA: I know. Thank you.

22 Q: So for all intents and purposes, if I was meeting you at
23 your office, you would send me to 160 Convent Ave?

24 A: Sure.

25 Q: Okay. And do you know how -- I know you said that

1 you've never set foot in the towers, which is located at 430 West
2 130th; do you know how far the towers are from 160 convent?

3 MS. JOSEPH: Objection, Your Honor. What's the
4 relevance?

5 ALJ STECURA: I'll allow it, limited.

6 MR. FAVILUKIS: Thank you, Your Honor.

7 ALJ STECURA: Thank you.

8 A: Not exactly, no. A few blocks.

9 Q: A few blocks, a few minutes' walk?

10 A: I guess so, sure.

11 Q: Okay. So it's -- so just to clarify, the towers, which
12 is located at 430 West, 130th is a few minutes' walk from where
13 your office is?

14 A: I'm not sure about the address that you're telling me.
15 I honestly don't know what the address of the towers is, so I
16 can't -- I'm sorry.

17 Q: That's okay. But -- so then do you want to retract what
18 you said that it's a few blocks away?

19 A: No, because I've driven by, and I know it's on around --
20 I think it's around 130th street.

21 Q: Okay. Got it.

22 A: And -- yeah.

23 ALJ STECURA: Okay. There's no question pending.

24 Q: Okay. Do -- do you have counsel for this non-primary
25 residence holdover case?

1 A: Yes.

2 Q: Okay. And is -- are -- is your counsel here in this
3 room?

4 A: Yes.

5 Q: Okay. The non-primary residence case, have you spoken -
6 - I know you said that you spoke to your mother who was concerned
7 about the notice; have you spoken to your wife about it?

8 A: Not much, but yes, a bit.

9 Q: Okay. What have you told her about it?

10 MS. JOSEPH: Objection, Your Honor. What is the
11 relevancy of --

12 ALJ STECURA: Sustained.

13 Q: Does your wife also work for City College?

14 A: Yes, it's one of her jobs.

15 Q: Okay. Did you ever complain to Michael, to Mr. Geylik,
16 about any of the other tenants in the building?

17 MS. JOSEPH: Objection, Your Honor. It is not part
18 of any allegations and it's not part of this case. It's --

19 ALJ STECURA: It wasn't part of direct either, so
20 sustained.

21 MR. FAVILUKIS: I'll withdraw it, Your Honor.

22 Q: Did you file a complaint with the New York State
23 Division of Housing and Community Renewal with -- with respect to
24 your apartment?

25 MS. JOSEPH: Objection, Your Honor. Again, it's

1 not part of the allegations and it's not part of the case. I
2 don't think it's alleged anything with regard to any
3 complaint at the HCR.

4 ALJ STECURA: Sustained.

5 Q: Okay. Have you ever asked Michael if you can do any
6 repairs in your apartment?

7 A: I don't think so. I'm not 100 percent sure. I don't
8 think so.

9 Q: Okay. Have you ever asked Michael if you can do any
10 repairs in your apartment since March of last year?

11 MS. JOSEPH: Objection, Your Honor.

12 MR. FAVILUKIS: Okay.

13 MS. JOSEPH: It was asked and answered.

14 MR. FAVILUKIS: Withdraw it. I withdraw it.

15 ALJ STECURA: Thank you.

16 Q: Do you have any bedbugs in your apartment?

17 MS. JOSEPH: Objection, Your Honor. It's not part
18 of the allegation -- any allegations about bedbugs in his
19 apartment.

20 ALJ STECURA: Sustained.

21 MR. FAVILUKIS: Okay. I don't have anything
22 further, Your Honor.

23 ALJ STECURA: Redirect?

24 MS. JOSEPH: Not really, Your Honor. I have no
25 redirect.

1 ALJ STECURA: All right. Thank you very much for
2 your time. Your testimony has concluded and you may be
3 excused.

4 MR. BECKWITH: Thank you.

5 MR. FAVILUKIS: Thank you.

6 MS. JOSEPH: Thank you.

7 [WITNESS EXCUSED]

8 [OFF THE RECORD]

9 [ON THE RECORD]

10 ALJ STECURA: Okay. It's 3:39 now and we are
11 concluding for today. We have added a fourth day of trial,
12 which will be June 12th, 2025, but our next date of trial
13 will be June 5th, 2025 and it will be in person at 9:30 AM at
14 100 Church Street. And I will see you all then. Thank you
15 very much.

16 MS. JOSEPH: Thank you, Judge. Have a nice
17 evening.

18 MR. FAVILUKIS: Thank you. Have a good Memorial
19 Day.

20 [END OF TRIAL]

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CERTIFICATE OF ACCURACY

I, Derrick Ndilo, certify that the foregoing transcript of Department of Housing preservation and Development v. Michael Geylik on May 22, 2025 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

DN

Date: May 29, 2025

I, Blanca Martinez, conducted a quality control review of the certified foregoing transcript.

Reviewed By

BM

Date: May 30, 2025

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